

# **Preliminary Environmental Evaluation for the Siting of the Municipal Jail**

Prepared for the

**City of Seattle**  
Fleets and Facilities Department

By



June 20, 2008

Att 9.



June 20, 2008

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Dear Andy,

Blumen Consulting Group is pleased to present this revised *Preliminary Environmental Evaluation for the Siting of the Municipal Jail* report. This analysis has been prepared for the City of Seattle (City) to provide environmental input during the City's preliminary efforts to evaluate potential options to address long-term solutions for housing misdemeanors with charges in the Municipal Court of Seattle.

An option that is currently being considered by the City would involve construction of a new municipal jail facility within the Seattle City limits on one of four potential sites. The intent of this report is to identify possible fatal flaws and key issues from an environmental and regulatory perspective associated with potential development of a jail facility on each of the sites. This document contains the following sections:

- An **Executive Summary** which includes a description of the City's current planning efforts and a summary of this report's findings and a **Site Comparison Matrix**, which compares the differences between the four sites being considered;
- A **Project Background** section which briefly describes the City's proposed jail facility and its requirements;
- Detailed **Site Descriptions** for each of the four sites which include: natural and built environment characteristics as well as regulatory considerations and other factors that might impact development on each site; and
- A discussion of **Recommendations Regarding the SEPA Process** which evaluates possible SEPA options, process, timing and scope.

This report is intended to inform the facility design and ongoing site analysis efforts by the City but is not intended to fulfill any other local, state or federal environmental review requirements, such as SEPA.

Thank you for the opportunity to participate in this planning effort.

Sincerely,



Michael Blumen, Senior Principal  
Blumen Consulting Group

SEPA/NEPA Compliance  
Land Use Entitlement  
Project Coordination

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## **Executive Summary**

## **EXECUTIVE SUMMARY**

The City of Seattle (City) presently contracts with multiple providers of jail services to house misdemeanors with charges in the Municipal Court of Seattle. The King County Jail currently holds the majority of Municipal Court of Seattle misdemeanors. The City is evaluating a range of long-term solutions for housing misdemeanors with charges in the Municipal Court of Seattle. One option that is being explored would involve construction of a new municipal jail facility within the Seattle City limits. Preliminary siting analysis has identified four sites that would meet the siting criteria.

The intent of this report is to identify possible fatal flaws and key issues associated with the sites from an environmental perspective. Evaluations of each site relative to key environmental parameters, regulatory factors and other considerations are provided in this analysis. The report is based on review of existing studies, reports and documents, and available data; discussions with staff of the Department of Fleets and Facilities, the Department of Planning and Development, Office of Policy and Management, and the Law Department; and site visits. Recommendations concerning SEPA compliance are also provided in a later section. This report is intended to inform the facility design and ongoing site analysis effort by the City.

Preliminary analysis indicates that the municipal jail facility should be capable of accommodating a 20-year need for approximately 450 beds. Sites may also be evaluated for their potential to accommodate a possible future expansion of the facility. A Phase 1 facility would likely comprise approximately 107,000 square feet that could be contained in a 1-story structure with a mezzanine. The facility would likely require a staff of approximately 70 personnel. Surface parking would be provided for approximately 100 vehicles. Possible future expansion could include an additional 400 beds requiring approximately 53,000 square feet, with additional staffing and associated parking.

The facility would house both male and female misdemeanors. The average length of stay in this facility is anticipated to be 10 days, although some misdemeanors would be housed in the facility for only a day while others may stay for up to one year. The complex would accommodate misdemeanors with the following security levels: minimum, medium, special needs, maximum, and medical.

From a project timing perspective, a new municipal facility would need to be fully operational<sup>1</sup> by January 1, 2013.

The following is an overview of the four site alternatives; a matrix follows that summarizes environmental, regulatory and other considerations associated with each site alternative.

- **Site A – Aurora Ave. N.** – This 7.1-acre site is located in north Seattle approximately 200 ft. east of Aurora Ave. N., 450 ft. south of N. 125<sup>th</sup> St. and adjacent to an unimproved segment of Stone Ave. N. Vehicular access to a facility at this location would be from Aurora Ave. N. This site may include a possible emergency vehicle ingress/egress in the southeast corner of the site (across a segment of property south of the site) with access to the improved segment of Stone Avenue N. that is located south of the site.

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<sup>1</sup> This implies that construction is complete, a Certificate of Occupancy has been issued, and staff training has been completed.

From a site characterization standpoint, the site is well below the grade of Aurora Ave. N. and below the elevation of properties east of the site. This site presently contains a golf driving range with an associated office and retail use. Land uses bordering the site include small commercial uses to the west, large commercial uses to the north and south, and residential development to the east (two mobile home parks, a single family neighborhood, and a multi-family complex).

- **Site B – 15<sup>th</sup> Ave. W (Interbay)** -- This 7.7-acre site is located north of downtown approximately 90 ft. west of 15<sup>th</sup> Ave. W. and adjacent to both W. Wheeler St., (north property line) and W. Armory Way. (southwest property line). A paved alley is located onsite, along the site's east boundary. The segment of W. Wheeler St. that is adjacent to the site is unimproved; a partial street vacation may also be required relative to the unimproved W. Wheeler St. to facilitate siting the facility and providing a fire lane along the north-side of the structure. W. Armory Way terminates at the northwest corner of the site. Vehicular access to the facility would be from W. Armory Way via several driveways.

This site is on-grade with W. Armory Way and slightly below the grade of 15th Ave. W. Land uses surrounding the site include commercial uses to the east along 15<sup>th</sup> Ave. W., the Seattle Parks Department's Interbay Athletic Facility (golf, soccer, etc.) and P-Patch to the north, Burlington Northern Railroad's North Seattle switching yard and main line to the northwest, and a Washington National Guard training facility west of the site.

- **Site C – W. Marginal Way S.W.** -- This 10.7-acre site is located in southwest Seattle and is bordered by W. Marginal Way S.W., Highland Park Way S.W., and 2<sup>nd</sup> Ave. S.W. Vehicular access to a facility at this location would be from each of the surrounding streets.

From a site characterization standpoint, the site is generally on-grade with each of the surrounding streets. The site is largely undeveloped and the land uses that surround the site are industrial in nature.

- **Site D – Myers Way S.W.** -- This approximately 21.1-acre site<sup>2</sup> is located in southwest Seattle in the general area between Myers Way S., S.W. Roxbury St. (extended), and approximately one-quarter mile south of the intersection of Myers Way S. and Olson Pl.

Whereas the east-half of this site is for the most part on-grade with Myers Way S., the topography of the west-quarter of the site rises steeply, approximately 125 ft. This site is currently undeveloped. Land uses bordering the site include Seattle's Joint Training Facility to the north, a church to the east of Myers Way S., a steep slope (downward) across from the southeast portion of the site, a 100-ft. wide Seattle City Light Transmission corridor to the south with single family residences south of the corridor, and Greenbridge (King County Housing Authority's new mixed-use public housing development) to the west of the site, separated by a steep slope.

### **Overview of Site Characteristics**

Results of the test-to-fit analysis performed by DLR Group and Miller Hayashi Architects indicate that in all probability the four site alternatives could meet the anticipated space needs of a municipal jail facility.

Following is a brief summary of the key environmental issues related to entitlement, environmental review and development of a municipal jail facility at the four sites under consideration. Based on this preliminary evaluation, none of these issues should be perceived as fatal flaws that would preclude the potential development at any of the sites. However, findings indicate the need for further analysis of certain environmental issues; the potential need

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<sup>2</sup> An estimated 12 acres of the site are usable due to site constraints.

for mitigation; and, additional examination of regulatory and other factors that need to be considered as part of the entitlement and environmental review process.

Sites A, B and C do not appear to have major natural/physical constraints that would preclude potential development of a municipal jail facility on these sites (i.e., environmentally critical areas, such as wetlands, streams and steep slopes on or adjacent to the sites). Site D likely has such constraints due to the presence of wetlands in the eastern portion of that site. The relationship of onsite constraints at Site D to potential development of a jail facility would need to be determined through further technical analyses.

In terms of the built environment, compatibility with surrounding land uses should be considered for Sites A, B and D. These sites are located proximate to residential areas and a municipal jail facility may be perceived as an incompatible use at these locations. Site C is located in an industrial area with no residential or commercial uses nearby; therefore, a municipal jail facility could be perceived as a compatible use in this area.

All four of the sites would require regulatory changes in order for a municipal jail facility to be built at any of the sites (the only zoning districts that presently allow jail facilities outright are located in the Downtown area).

The following matrix provides a summary of environmental, regulatory and other factors associated with each site. Expanded analyses of these factors for each of the sites are contained in Sections 3 through 6 of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*.

Section 7 of this Preliminary report discusses the SEPA process and recommends that an Environmental Impact Statement be prepared to support the site selection decision and eventual construction and operation of the jail facility.

### SITING ANALYSIS COMPARISON MATRIX

	Site A Aurora Ave. N.	Site B 15th Ave. W.	Site C W. Marginal Way S.W.	Site D Myers Way S.W.
<b>ENVIRONMENTAL CONSIDERATIONS</b>				
<b>Natural Environment</b>				
<i>Earth</i>	Two small onsite areas on the western boundary of Site A are mapped as Environmental Critical Areas (ECA) 40 percent steep slope or greater. Per SMC 25.09.180, additional geotechnical analysis would be required as part of the design and construction permit process if development activities are proposed in actual steep slope areas or their buffers.	No steep slopes are mapped onsite. ECA steep slope areas are not anticipated to affect feasibility of potentially developing a municipal jail facility on this site.	Several small areas in the north portion of Site C are mapped as ECA 40 percent steep slope or greater, as defined in SMC 25.09.020. However, a 2008 geotechnical report indicates no steep slope areas are actually located onsite.	A manmade 100-foot high, 2H:1V gradient cut slope is present along the western boundary of the site and is mapped as ECA 40 percent or greater steep slope areas. Several other small ECA steep slopes are mapped onsite, but may not actually be present. Per SMC 25.09.180, additional geotechnical analysis would be prepared as part of the design and construction permit process that would address any development activities proposed in actual steep slope areas or their buffers.
	No liquefaction zones are located onsite. Liquefaction is not anticipated to affect feasibility of potentially developing a facility on this site.	Entire site is mapped as an ECA liquefaction zone by the City due to an underlying layer of fill beneath the site; such conditions have been confirmed in a 2008 geotechnical report. Per SMC 25.09.100, further geotechnical analysis would be prepared during the design and construction permit process to provide specific recommendations for building development on this site.	Entire site is mapped as an ECA liquefaction zone by the City due to an underlying layer of fill beneath the site; such conditions have been confirmed in a 2008 geotechnical report. Per SMC 25.09.100, further geotechnical analysis would be prepared during the design and construction permit process to provide specific recommendations for building development on this site.	Localized zones in the northern, eastern and southern portions of the site with loose fill deposits may be susceptible to liquefaction. No liquefaction zones are currently mapped onsite by the City. Further geotechnical analysis would be prepared during the design and construction permit process to provide specific recommendations for building development on this site.
	A 2008 geotechnical report indicates no significant issues with existing onsite fill. Additional technical analysis would be prepared as part of the design and construction permit process to verify construction methods to support potential development on this site.	2008 studies indicate onsite fill material may be unsuitable for construction. Additional geotechnical analysis would be prepared as part of the design and construction permit process to determine construction methods to support potential development on this site.	2008 studies indicate onsite fill material may be unsuitable for construction. Additional geotechnical analysis would be prepared as part of the design and construction permit process to determine construction methods to support potential development on this site.	2008 studies indicate onsite fill material may be unsuitable for construction. Additional geotechnical analysis would be prepared as part of the design and construction permit process to determine construction methods to support potential development on this site.
<i>Water Resources</i>	No surface water features are mapped onsite by the City, but onsite conditions would need to be verified as part of the SEPA or permit process. Reports of localized flooding adjacent to the site would need to be considered during the design of the site's stormwater control system. Surface water issues are not anticipated to affect feasibility of potentially developing a facility on this site.	No surface water features are mapped onsite by the City, but onsite conditions would need to be verified as part of the SEPA or permit process. Surface water issues are not anticipated to affect feasibility of potentially developing a facility on this site.	No surface water features are mapped onsite by the City. However, according to the 2008 wetland evaluation, two roadside ditches are present onsite. Onsite hydrologic conditions would need to be verified as part of the SEPA or permit process. Surface water issues are not anticipated to affect feasibility of potentially developing a facility on this site.	A 2008 wetland delineation report indicates that there appear to be three onsite wetlands and one offsite wetland. The onsite wetlands appear to drain to Durham Creek. Potential development of a municipal jail facility on the site could affect wetlands; potential impacts and the relationship to overall development feasibility and the permitting schedule would need to be addressed as part of the SEPA process.
	2008 studies indicate depth to groundwater beneath the site should not affect development feasibility.	2008 studies indicate depth to groundwater beneath the site is relatively shallow. The shallow groundwater table could increase complexity of developing below-grade features on this site.	2008 studies indicate depth to groundwater beneath the site is relatively shallow. The shallow groundwater table could increase complexity of developing below-grade features on this site.	2008 studies indicate depth to groundwater beneath the site is relatively shallow. The shallow groundwater table could increase complexity of developing below-grade features on this site.

**SITING ANALYSIS COMPARISON MATRIX**

	<b>Site A Aurora Ave. N.</b>	<b>Site B 15th Ave. W.</b>	<b>Site C W. Marginal Way S.W.</b>	<b>Site D Myers Way S.W.</b>
<i>Plants/Animals</i>	Previous studies indicate no currently-listed threatened or endangered species are known to occur on or in the vicinity of the site. Plant, animal and habitat issues are not anticipated to affect feasibility of potentially developing a facility on this site.	Previous studies indicate no currently-listed threatened or endangered species are known to occur on or in the vicinity of the site. Plant, animal and habitat issues are not anticipated to affect feasibility of potentially developing a facility on this site.	Previous studies indicate no currently-listed threatened or endangered species are known to occur on or in the vicinity of the site. Plant, animal and habitat issues are not anticipated to affect feasibility of potentially developing a facility on this site.	Previous and 2008 studies indicate onsite surface water features may have low to moderate functional habitat value. Plant, animal and habitat issues (i.e. related to wetlands) could affect feasibility of potentially developing a facility on this site based on the City's required schedule.
<i>Environmental Health</i>	The entire site is mapped as an ECA methane buffer by the City due to adjacency with a former landfill. Per SMC 25.09.220, development on this site would require site-specific analysis during the permit process to identify applicable mitigation measures to address potential methane issues.	The entire site is mapped as an ECA methane buffer by the City due to adjacency with a former landfill. Per SMC 25.09.220, development on this site would require site-specific analysis during the permit process to identify applicable mitigation measures to address potential methane issues.	No former landfills or methane buffers are mapped by the City onsite.	No landfill conditions are known to exist on or in the immediate vicinity of the site.
	2008 studies indicate this site has the potential for soil and groundwater contamination. Current and former uses on and adjacent to the site (i.e. adjacent wrecking yard, landfill, auto repair uses) could have released contaminants to site soils and groundwater. Actual conditions would need to be verified as part of the permit process.	Previous and 2008 studies indicate this site has the potential for soil and groundwater contamination. Former uses on and adjacent to the site (i.e. the former US Navy depot onsite and landfill to the north of the site) may have released contaminants to site soils and groundwater in the vicinity. Actual conditions would need to be verified as part of the permit process.	Previous and 2008 studies indicate this site has the potential for soil and groundwater contamination. Current and former uses on and adjacent to the site (i.e. the previous electric supplier onsite and the dry cleaning supplier to the north of the site) could have released contaminants to site soils and groundwater. Actual conditions would need to be verified as part of the permit process.	Previous and 2008 studies indicate the presence of undocumented fill and a small area of soil contamination above MTCA levels onsite that could require cleanup during development on this site. Actual onsite soil and groundwater conditions would need to be verified as part of the permit process.
<i>Noise</i>	It does not appear that development of the municipal jail facility on this site would represent a substantial change to the existing noise environment. Potential noise impacts to nearby sensitive receivers, such as the residential uses to the east of the site, would be analyzed as part of the SEPA process.	It does not appear that development of the municipal jail facility on this site would represent a substantial change in the existing noise environment. Potential temporary noise and vibration impacts from pile driving could result. Potential noise impacts to nearby sensitive receivers, such as residential uses east of 15th Ave. W. and west of the site, would be analyzed as part of the SEPA process.	It does not appear that development of the municipal jail facility on this site would represent a substantial change in the existing noise environment. Although no potential nearby sensitive receivers were identified during this preliminary analysis, conditions would be verified part of the SEPA process.	Development of the municipal jail facility on this site could generate noise somewhat greater than the existing ambient noise levels; however, it does not appear that development of the municipal jail facility on this site would represent a substantial change in the existing noise environment. Potential temporary noise and vibration impacts from pile driving could result. Potential noise impacts to nearby sensitive receivers, such as residential uses west of the site, would be analyzed as part of the SEPA process.

### SITING ANALYSIS COMPARISON MATRIX

	Site A Aurora Ave. N.	Site B 15th Ave. W.	Site C W. Marginal Way S.W.	Site D Myers Way S.W.
<b>Built Environment</b>				
<i>Land Use</i>	The site is currently a golf driving range. Surrounding land uses include small commercial buildings west of the site (along Aurora Ave. N.), a towing yard north of the site, a big box retailer south of the site and two mobile home parks, a single-family neighborhood and a multi-family complex east of the site. Land use compatibility issues, and the potential project's relationship to applicable City plans, policies and regulations, would be addressed as part of the SEPA process.	The site contains warehouse/storage uses, light manufacturing uses and training programs. Surrounding land uses include small commercial buildings east of the site (along 15th Ave. W.), Seattle Parks Interbay Golf Center and a P-Patch north of the site, Burlington Northern's main line tracks and the City's north switching yard located west of the site, and a Washington National Guard training facility south of the site. Land use compatibility issues, and the potential project's relationship to applicable City plans, policies and regulations, would be addressed as part of the SEPA process.	The majority of this site is undeveloped. There is one building onsite and an informal parking area (northwest portion of the site). Land uses north, west and south of the site are industrial in nature; the property east of the site is a drainage detention facility. Land use compatibility issues, and the potential project's relationship to applicable City plans, policies and regulations, would be addressed as part of the SEPA process.	This site is undeveloped. Land uses that surround the site include Seattle's Joint Training Facility north of the site, a church on Myers Way S.W. (east of the JTF), a Seattle City Light Transmission line corridor south of the site with residential development south of the corridor, and King County Housing Authority's Greenbridge redevelopment project, which is located west of the site and on top of the bluff. Land use compatibility issues, and the potential project's relationship to applicable City plans, policies and regulations, would be addressed as part of the SEPA process.
	Jail facilities are a prohibited use in the City's commercial and industrial zones and, as described below with regard to Regulatory Considerations, regulatory changes would be required for the use to be allowed at this site.	Jail facilities are a prohibited use in the City's commercial and industrial zones and, as described below with regard to Regulatory Considerations, regulatory changes would be required for the use to be allowed at this site.	Jail facilities are a prohibited use in the City's commercial and industrial zones and, as described below with regard to Regulatory Considerations, regulatory changes would be required for the use to be allowed at this site.	Jail facilities are a prohibited use in the City's commercial and industrial zones and, as described below with regard to Regulatory Considerations, regulatory changes would be required for the use to be allowed at this site.
<i>Aesthetics/Light &amp; Glare</i>	The site is visible from the residential homes and mobile home park to the east. However, it does not appear that development of the municipal jail facility on this site would represent a substantial change in the visual environment, depending upon the specific design of the facility. Potential aesthetic and lighting impacts could be analyzed and considered as part of the SEPA and permit process.	The site is visible at a distance from the Queen Anne and Magnolia neighborhoods. However, it does not appear that development of the municipal jail facility on this site would represent a substantial change in the visual environment. Potential aesthetic and lighting impacts could be analyzed and considered as part of the SEPA and permit process.	The site may be visible from the residential area upstope to the west and from SR 509 to the east, although it is separated by a greenbelt and substantial distance. It does not appear that development of the municipal jail facility on this site would represent a substantial change in the visual environment. Potential aesthetic and lighting impacts could be analyzed and considered as part of the SEPA and permit process.	The site is visible from the residential areas to the south and west, and will be visible from an approved senior housing development to be located approximately 0.25 miles north of the site. However, it does not appear that development of the municipal jail facility on this site would represent a substantial change in the visual environment, depending upon the specific design of the facility. Potential aesthetic and lighting impacts could be analyzed and considered as part of the SEPA and permit process.
<i>Historic/Cultural</i>	Based on available data, one existing onsite building is more than 50 years old and an historic evaluation would be required as part of the SEPA process, per SMC 25.12.350.	Based on available data, two existing onsite buildings are more than 50 years old and an historic evaluation would be required as part of the SEPA process, per SMC 25.12.350.	Based on available data, existing onsite structures are less than 50 years old. The age of onsite structures would need to be verified as part of the SEPA process. If structures are less than 50 years old, an historic evaluation would not likely be required.	No permanent structures are presently located on the site.
	This site is not located within the Government Meander Line Buffer; therefore, a cultural resource evaluation would not likely be required as part of the SEPA or permit process.	This site is located within the Government Meander Line Buffer and a cultural resources evaluation would be required as part of the SEPA process, per Director's Rule 2-98.	This site is not located within the Government Meander Line Buffer. The site contains no known archaeological deposits; however, there may be a potential for archaeological resources to be present onsite given the presence of other cultural resources in the area. A cultural resources evaluation could be required, as part of the SEPA process.	This site is not located within the Government Meander Line Buffer; therefore, a cultural resources evaluation would not likely be required as part of the SEPA process. The site has been disturbed and graded and the potential for archaeological deposits appears to be low to moderate.

### SITING ANALYSIS COMPARISON MATRIX

	<b>Site A Aurora Ave. N.</b>	<b>Site B 15th Ave. W.</b>	<b>Site C W. Marginal Way S.W.</b>	<b>Site D Myers Way S.W.</b>
<i>Transportation</i>	Access to the site is available via Aurora Ave. N. Secondary/emergency access could potentially be provided to the south or east; improvements to Stone Ave. N and/or an easement to the south could be required. A transportation impact analysis could be required as part of the SEPA process to determine project impacts and any applicable mitigation.	Access to the site is available via W. Armory Way. Partial vacation of W. Wheeler St. could be required. Frontage improvements to W. Armory Way could be required. A transportation impact analysis could be required as part of the SEPA process to determine project impacts and any applicable mitigation.	Access to the site is available via W. Marginal Way, 2nd Ave. S.W. and Highland Parkway S.W. Frontage improvements along the primary site access could be required. A transportation impact analysis could be required as part of the SEPA process to determine project impacts and any applicable mitigation.	Access to the site is available via Myers Way S. Vacation of the un-opened S.W. Roxbury St. right-of-way could be required. A transportation impact analysis could be required as part of the SEPA process to determine project impacts and any applicable mitigation.
<i>Utilities</i>	It is assumed that existing municipal utilities are available to the site. Existing capacity and potential facility utility demands would be evaluated as part of the design and/or permit process. The project's stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management, erosion control and water quality treatment, both during construction and as part of operation of the facility.	It is assumed that existing municipal utilities are available to the site. Existing capacity and potential facility utility demands would be evaluated as part of the design and/or permit process. The project's stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management, erosion control and water quality treatment, both during construction and as part of operation of the facility.	It is assumed that existing municipal utilities are available to the site. Existing capacity and potential facility utility demands would be evaluated as part of the design and/or permit process. The project's stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management, erosion control and water quality treatment, both during construction and as part of operation of the facility. Potential onsite stormwater-related hydrologic connections to the Duwamish River would be considered as part of the SEPA or permit process.	It is assumed that existing municipal utilities are available to the site. Existing capacity and potential facility utility demands would be evaluated as part of the design and/or permit process. The project's stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management, erosion control and water quality treatment, both during construction and as part of operation of the facility. Potential onsite stormwater-related hydrologic connections to wetlands and downstream creeks would be considered as part of the SEPA or permit process.
<b>REGULATORY CONSIDERATIONS</b>				
	Regulatory changes would be required, potentially including a text amendment to the zoning code to allow a municipal jail facility at this commercially-zoned site. The text amendment could be limited to a specific geographic area.  Project will require review by the City's Design Commission, as part of the MUP process.	Regulatory changes would be required, potentially including a text amendment to the zoning code to allow a municipal jail facility at this industrially-zoned site. The text amendment could be limited to a specific geographic area.  Project will require review by the City's Design Commission, as part of the MUP process.	Regulatory changes would be required, potentially including a text amendment to the zoning code to allow a municipal jail facility at this industrially-zoned site. The text amendment could be limited to a specific geographic area.  Project will require review by the City's Design Commission, as part of the MUP process.	Regulatory changes would be required, potentially including a text amendment to the zoning code to allow a municipal jail facility at this commercially-zoned site. The text amendment could be limited to a specific geographic area.  If City, State and/or federal permits are required due to the affects of potential development on onsite wetlands, the permit process could affect the City's ability to construct the facility within the necessary timeframe.  Project will require review by the Design Commission as part of the MUP process.

**SITING ANALYSIS COMPARISON MATRIX**

	<b>Site A Aurora Ave. N.</b>	<b>Site B 15th Ave. W.</b>	<b>Site C W. Marginal Way S.W.</b>	<b>Site D Myers Way S.W.</b>
<b>OTHER CONSIDERATIONS</b>				
	<p>This site is located adjacent to one of the few remaining mobile home parks in the City.</p>	<p>The site is proximate to the Port's North Bay site. The Port's proposal is for regulatory changes that allow office and retail uses, in addition to industrial uses on their site. A proposal was submitted to the City, but later withdrawn.</p> <p>Would require conversion of industrial land, which could be an issue.</p> <p>Citizens groups associated with the Queen Anne Hill &amp; Magnolia neighborhoods typically stay well-informed of major projects within the 15th Ave. W. corridor.</p>	<p>Would require conversion of industrial land, which could be an issue.</p>	<p>Proximity to the County's largest public housing project and other residential uses; however, those areas are separated from the site by topography.</p>

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# **Project Background**

## **PROJECT BACKGROUND**

The City of Seattle contracts with multiple providers of jail services to house misdemeanors with charges in the Municipal Court of Seattle. Misdemeanors are currently housed in King County, Yakima County, or Renton City jail facilities. The King County Jail currently holds the majority of Municipal Court of Seattle misdemeanors. The majority of misdemeanors are housed at King County's downtown Seattle facility. The King County Jail, Seattle Division, is located at 500 Fifth Ave. in downtown Seattle, one block south of the Seattle Municipal Court. King County also has a jail facility at the Regional Justice Center in the City of Kent that houses some misdemeanors. Because of limited capacity at the downtown facility, the City also sends some misdemeanors to the Yakima County Jail and to Renton's City Jail. The Renton jail facility can only be used for City misdemeanors with 1 to 2 day sentences.

The City of Seattle is evaluating a range of long-term solutions for housing misdemeanors with charges in the Municipal Court of Seattle. One option that is being explored would involve construction of a new municipal jail facility within the Seattle City limits. Preliminary siting analysis by the City has identified four sites that would meet the siting criteria. Two of the sites are located north of downtown and two are south of downtown. The location of each site is depicted in Figure 1. Subsequent sections of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail* provide an overview of environmental and regulatory factors associated with each of the site alternatives and recommendations for conducting the SEPA process.

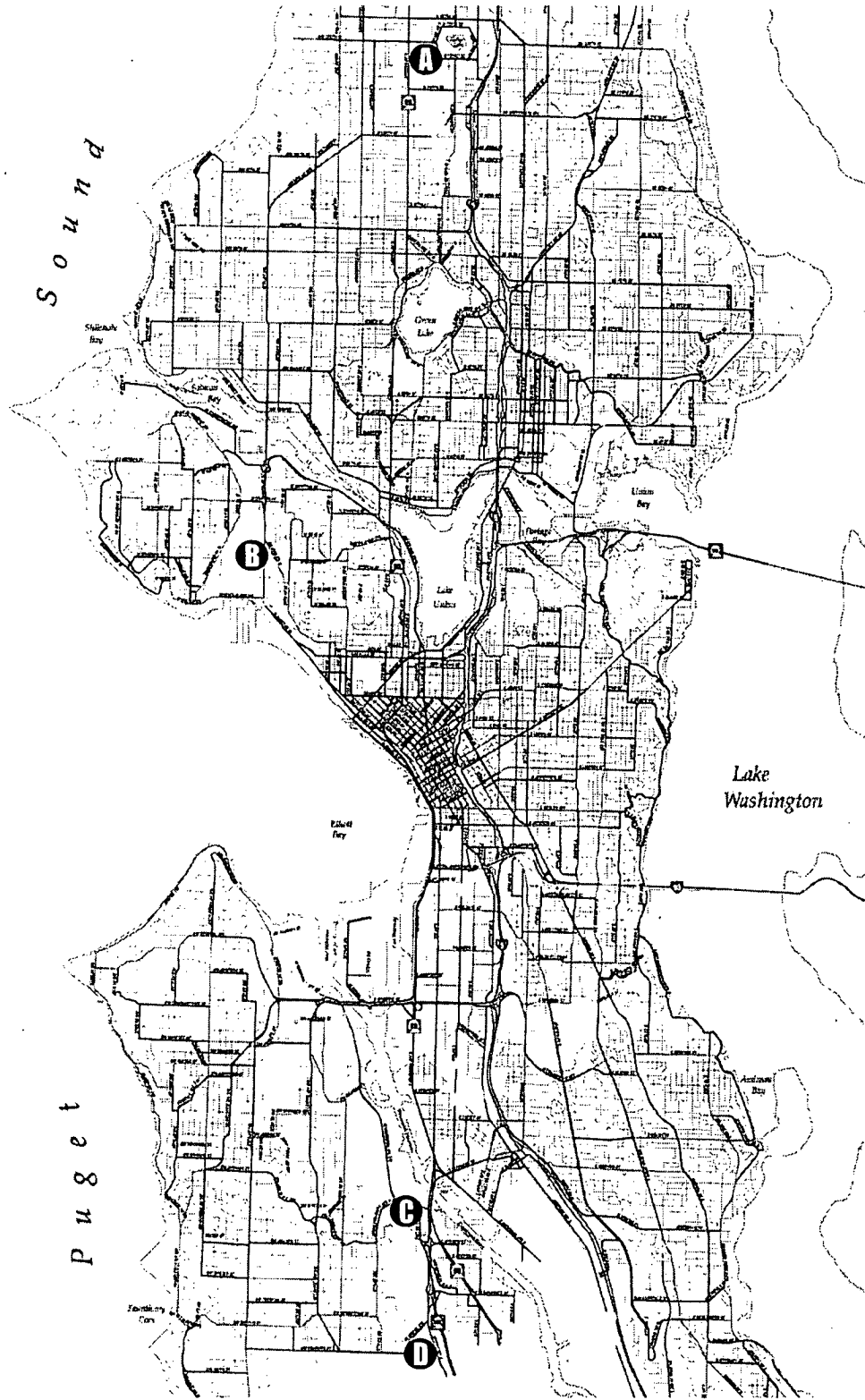
Preliminary analysis indicates that the municipal jail facility should be capable of accommodating a 20-year need for approximately 450 beds. Sites may also be evaluated for their potential to accommodate a possible future expansion of the facility. A Phase 1 facility would likely comprise approximately 107,000 square feet that could be contained in a 1-story structure with a mezzanine. The facility would likely require a staff of approximately 70 personnel. Surface parking would be provided for approximately 100 vehicles. Possible future expansion could include an additional 400 beds requiring approximately 53,000 square feet, with additional staffing and associated parking.

The City of Seattle has considered two municipal jail facility models. These models differ in terms of the nature of supervision.

- **Indirect/Direct Housing Supervision** – This model provides for direct supervision during the day shift with indirect supervision during the night shift from a raised control room.
- **Direct/Regional Justice Center Housing Supervision** – This model would have direct supervision 24/7/365 staff in dayrooms.

The Fleets and Facilities Department retained the services of the DLR Group and Miller Hayashi Architects to perform architectural test-to-fit analysis<sup>3</sup> of each site. Results of that analysis indicate that in all probability the four site alternatives could meet the anticipated space needs of a municipal jail facility.

<sup>3</sup> DLR Group and Miller/Hayashi Architects, 2008 (please see the References section of this report for the complete citation).



Source: City of Seattle, 2003



Preliminary  
Environmental Evaluation for the  
Siting of the Municipal Jail

Figure 1

Vicinity Map

Preliminary architectural programming associated with the test-to-fit analysis considered space needs in conjunction with 10 internal components of the facility; anticipated space need percentages are outlined below. As shown, housing would comprise nearly one-half of the facility and support facilities the balance.

Program Element	Percentage of Total Building Area PHASE I	Percentage of Total Building Area PHASE II
Housing	46.4%	61.9%
Medical I	9.5%	6.4%
Staff	8.8%	5.8%
Food Service	8.2%	5.5%
Intake	6.9%	4.6%
Lobby	6.0%	4.0%
Admin	4.6%	3.1%
Programs	3.5%	4.6%
Medical II	3.1%	2.0%
Laundry	3.1%	2.0%
<b>TOTAL</b>	<b>100.0%</b>	<b>100.0%</b>

Preliminary design concepts indicate that the facility could be a 1-story structure with a mezzanine in the housing portion of the building. A *Phase I* facility would require a staff of approximately 70 personnel.

As part of the test-to-fit analysis, surface parking was evaluated. It is anticipated that approximately 100 parking spaces (30 public and 70 staff) would be needed for the facility.

The test-to-fit analysis assumed that the facility would house both male and female misdemeanors – with an estimated 77 percent of the population male and 23 percent female. The average length of stay is anticipated to be 10 days, although some misdemeanors would be housed in the facility for only a day while others may stay for up to one year. The complex would be designed to accommodate misdemeanors with the following security levels: minimum, medium, special needs, maximum, and medical.

From a project timing perspective, a new municipal jail facility would need to be fully operational<sup>4</sup> by January 1, 2013.

The intent of this analysis is to identify possible fatal flaws and key issues associated with the sites from an environmental perspective. Sections 3 through 6 of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail* contain evaluations for each site relative to key environmental parameters, regulatory factors and other considerations. The analysis is based on review of existing studies, reports and documents, and available data; discussions with staff of Fleets and Facilities, the Department of Planning and Development, the Law Department, and the Office of Policy and Management; and site visits. Section 7 of this analysis provides recommendations concerning SEPA compliance.

<sup>4</sup> This implies that construction is complete, a Certificate of Occupancy has been issued, and staff training has been completed.

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# **Site A Evaluation**

## **AURORA AVENUE NORTH**

## **SITE A EVALUATION -- AURORA AVE. N.**

### **Background Information**

This 7.1-acre site is located in north Seattle in the general area between Aurora Ave. N., Stone Ave. N., N. 125<sup>th</sup> St. and N. 115<sup>th</sup> St. More specifically, the site is approximately 200 ft. east of Aurora Ave. N. and 450 ft. south of N. 125<sup>th</sup> St. (see Figure 2). The Stone Ave. N. right-of-way forms the east boundary of the site. The segment of this street adjacent to the site is unimproved. The site is rectangular in shape and is oriented north-south.

The test-to-fit analysis depicts the potential municipal jail facility in the north portion of the site with surface parking and access in the south portion of the site. The test-to-fit analysis also depicts a sally port for secure misdemeanor transfer on the east-side of the building, with the building's service access located in the southeast portion of the structure.

Based on the test-to-fit analysis, vehicular access to a facility at this location would be from Aurora Ave. N. via a driveway in the southwest corner of the site. The test-to-fit analysis depicts a possible emergency vehicle ingress/egress in the southeast corner of the site with access to the improved segment of Stone Avenue N. that is located south of the site. This emergency access is shown extending across a segment of the property immediately south of this site, which is currently surface parking.

From a site characterization standpoint, the site is well below the grade of Aurora Ave. N. and below the elevation of properties east of the site. The site is presently a golf driving range with an associated office and retail use. Land uses that surround the site include small commercial uses to the west of the site, large commercial uses to the north and south of the site, and residential development to the east of the site (two mobile home parks, a single family neighborhood, and a multi-family complex).

Environmental considerations (natural and built) associated with this site are presented below.



Source: GoogleEarth, 2008



Preliminary Environmental Evaluation  
for the Siting of the Municipal Jail

Figure 2  
Site A - Aurora Ave. N.

## **ENVIRONMENTAL CONSIDERATIONS**

### **Introduction**

The following summarizes preliminary research and investigation of various environmental issues pertaining to the Aurora Ave. N. site under consideration for the new municipal jail facility. Information presented herein is based solely on recent studies and reports and other available data obtained from the City of Seattle and other sources. This information is intended to highlight the key environmental factors and potential constraints that could affect the successful permitting and development of a facility on the site. In most cases, additional investigation and analysis will be required as part of the SEPA and/or permit process to confirm site conditions and to fully understand environmental issues that could affect development of the municipal jail facility. Regulatory considerations and other factors that could pertain are highlighted as well. The following is intended to inform the facility design and ongoing site analysis effort by the City.

### **Natural Environment**

In 2008, a *Report of Geotechnical Engineering Services* and a *Draft Phase I Environmental Site Assessment Puetz Golf* were completed for Site A in support of the City's *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*. In 2007, the Seattle Department of Transportation (SDOT) issued a SEPA Checklist that included several technical reports for the *Aurora Avenue North (North 110<sup>th</sup> Street to North 145<sup>th</sup> Street) Transit, Pedestrian and Safety Improvements Project* which is located in the vicinity of the site.<sup>5</sup> Studies and correspondence referenced herein were completed as part of these previous and recent environmental analyses.

#### **Earth**

Site A is located in an urban, developed area and is currently occupied by the Puetz Golf Center retail store and driving range. The site is well below the grade of Aurora Ave. N. and below the elevation of properties east of the site.

According to the 2008 geotechnical report<sup>6</sup>, the surficial geology of the site is mapped as Vashon Ice-contact deposits and also as modified land. Soil conditions generally consist of a surficial layer of granular fill and/or recessional outwash varying from loose to medium dense sandy gravel to silty sand with gravel. These surficial materials were typically underlain by very dense glacial till.

A former landfill is located adjacent to the site to the east of Stone Ave. N. (see discussion under **Environmental Health** below). It is unknown if refuse material from the adjacent landfill site was used as fill material on this site.

The 2008 geotechnical report indicates that two small areas of the site have been identified as Environmental Critical Areas (ECAs) 40 percent steep slopes or greater, as defined in Seattle Municipal Code (SMC) 25.09.020. Both areas are located on the slope along the west side of the site. One steep slope critical area is located along the western site boundary, near the

<sup>5</sup> Seattle Department of Transportation, 2007.

<sup>6</sup> GeoDesign, 2008.

northwest corner; the other steep slope critical area is located at the south edge of the site's access road and extends westward beyond the site boundary.

The 2008 geotechnical report determined that the site has a low subseptibility to seismic hazards. The reports did not anticipate the need for deep foundations or dewatering.

In general, the 2008 geotechnical report determined that the site was suitable for the potential jail facility from a geotechnical standpoint. If potential development of a municipal jail facility on this site proposed any activities within actual ECA steep slope areas or their buffers, the project would be required to comply with the development standards for steep slopes provided in SMC 25.09.180 or secure an exception to these regulations. As part of the design and permit process, further geotechnical analysis would be prepared to verify specific construction methods and to evaluate the specific development plan for the site (and specifically, any development in the steep slope area).

## **Water Resources**

No ECA surface water features are mapped onsite by the City. According to the 2008 geotechnical report<sup>7</sup>, offsite to the east a linear drainage swale parallels the Stone Ave. N. right-of-way. A closed depression area is present offsite along the right-of-way near the southeastern corner of the driving range. The report indicates that the area is drained by a storm drainage line and catch basins along the Stone Ave. N. right-of-way. During a December 2007 rainstorm, this area and the area around the Puetz Golf retail store and southern portion of the driving range were noted to be flooded. As part of the design and permitting process, further investigation of previous and potential localized flooding conditions would be completed; if warranted, the onsite stormwater management system would be designed to preclude impacts from development of this site.

The 2008 geotechnical report<sup>8</sup> indicates that the depth to groundwater onsite is anticipated to be 40 ft. below ground surface based upon well reports from adjacent properties. Occasional zones of perched groundwater would be expected to be encountered onsite during construction. Such conditions are not expected to affect development feasibility.

## **Plants/Animals**

Site A has been graded and filled to accommodate the existing driving range. The only vegetation currently present onsite is grass. No habitat currently exists onsite.

An Endangered Species Act survey was conducted as part of SDOT's previous environmental analysis in the vicinity of Site A.<sup>9</sup> No currently-listed threatened or endangered animal or plant species were identified as occurring in the vicinity of the site; it is unlikely that such species exist onsite.

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<sup>7</sup> GeoDesign, 2008.

<sup>8</sup> GeoDesign, 2008.

<sup>9</sup> Whitman, 2007.

## Environmental Health

A *Draft Phase I Environmental Site Assessment* was completed for Site A in June 2008. This environmental assessment indicated the following conditions that may be indicative of potential onsite contamination:

- The entire Site A is mapped as an ECA methane buffer, as defined in SMC 25.09.020, due to its proximity to a former landfill to the northeast. Per SMC 25.09.220, development on this site could be susceptible to accumulations of methane gas in enclosed spaces. Methane barriers or appropriate ventilation measures could be required as part of development on this site. Analysis would be required as part of the design and permit process to identify applicable mitigation measures to address potential impacts from methane.
- Adjacent upgradient properties to the north and northwest contain a wrecking yard, gasoline station, auto repair shops and a paint store which present a potential for contaminants to have migrated to Site A.
- The southwest portion of Site A may have been used for refuse dumping in the early 1950s.
- Approximately 40,000 to 45,000 cubic yards of fill soil were reportedly placed on Site A in the mid-1960s. The source of this fill material has not been determined. A potential exists for this soil to have been contaminated at the source location.

The 2008 environmental assessment also indicates that, based on the age of the onsite buildings, asbestos and lead paint may be present. If these building materials are determined to be present onsite, they would be removed prior to demolition or construction activities on the site in accordance with state regulations.

The 2008 *Draft Phase I Environmental Site Assessment* recommended that a Phase II environmental assessment be conducted at the site as part of the permit process to determine the actual presence of soil and/or groundwater contaminants.

## Noise

The existing golf driving range that occupies Site A generates minor amounts of noise, primarily related to vehicular traffic and golfing activities. In the site vicinity, the major source of noise is vehicular traffic traveling on surrounding roadways – most notably Aurora Ave. N. Activities associated with commercial and residential uses in the area also generate noise. Noise-sensitive uses in the site vicinity include residential uses east of the site.

A potential municipal jail facility at this site would result in ambient noise associated with construction and operation of the facility. Periodic noise from operation of the facility could be generated by project traffic and other activity at the facility. It is anticipated that such noise would not represent a substantial change over the noise generated by the existing driving range. Both construction and operational noise would be expected to conform to the City's Noise Code.<sup>10</sup>

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<sup>10</sup> SMC 25.08

## **Built Environment**

### **Land Use**

#### ***Land Use Patterns***

This site consists of one tax parcel, approximately 7.1 acres in area, that is zoned C1-65 (Commercial 1 with a 65-foot height limit). This site is privately owned and currently occupied by the Puetz Golf Center, which includes an office, retail store and golf driving range. This complex is located behind (east of) commercial uses that are located along the east-side of Aurora Ave. N.

Land uses adjacent to the site include commercial and residential uses as outlined below.

- **North of the Site** – Land uses located along the east-side of Aurora Avenue N. include: Lincoln Auto Wrecking, Used Car Auto Lot, and Union 76 Gas Station/Food Mart. Adjacent to the site on the north is the Lincoln Auto Wrecking yard which includes a garage and storage warehouse.
- **West of the Site** – East Side of Aurora Ave. N. -- Businesses located immediately west of this site include: Zapffe Silverplating Store, Kelly Moore Paint Store, Merinae Korean Restaurant and Rick's Tire Service.
- **West of the Site** – West Side of Aurora Avenue N. -- Businesses include: Les Schwab Tires, Ambassador Inn Motel, Orion Motel, Seal's Motel, Al's Glass, Enterprise Car Rental and Carmate Collision Center. The Washelli Cemetery is also west of the Home Depot Store on the west side of Aurora Ave. N.
- **South of the Site** – Land uses on the east-side of Aurora Ave. N. include: Nites Inn Motel, State Farm Insurance and K-Smoke Mart building. Also immediately south of the site is the Home Depot store, which is set back from the street, with a large surface parking area west and north of the building.
- **East of the Site** – Land uses that are located east of Stone Ave. N. include two mobile home parks: the Halcyon Mobile Home Park and Bella Mobile Home Park. Near the southeast corner of the site is a single family residential development (ingress/egress is to the east) and a multi-family complex. That segment of Stone Avenue N. that borders the site is unimproved. It is a grassy open space with a footpath. Segments of the street north and south of the site are, however, improved.

#### ***Compatibility/Consistency with Zoning, Neighborhood Plans and Existing Uses***

Jail facilities are a prohibited use in the City's Commercial zones;<sup>11</sup> therefore, regulatory changes would be required to accommodate a municipal jail facility at this site (see the **Regulatory Considerations** discussion for this site alternative).

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<sup>11</sup> SMC 23.47A.004

The City's *Future Land Use Map* that is contained in the *Seattle Comprehensive Plan*<sup>12</sup> designates the site and nearby uses on Aurora Avenue N. as Commercial/Mixed Use. Single family residential use east of the site is also identified on the map.

This site is located within the Hub Urban Village for the Bitter Lake Area (*Seattle Comprehensive Plan*). Although the role of Urban Villages in accommodating public facilities is not directly addressed, a potential municipal jail facility may not generally meet the Plan's goals for housing and employment growth, as well as for residential or business uses, which are directly related to the intent of the Urban Village overlay zone.

Site A is also located in the area that is covered by the *Broadview-Bitter Lake-Haller Lake Neighborhood Plan*.<sup>13</sup> This neighborhood plan does not include provisions directly regarding public facilities. The plan identifies a future land use goal that indicates new development is to be environmentally friendly, support pedestrians, contain a range of housing types, and accommodate a diverse set of businesses.<sup>14</sup> The potential siting of a municipal jail facility at this location could be perceived as being inconsistent with provisions of this neighborhood plan.

Potential development of a municipal jail facility would convert the existing recreational/commercial use to a public facility. Given the presence of the mobile home parks, the single family and multi-family uses directly east of the site, and a mix of retail and commercial uses to the north and west, a municipal jail facility may be perceived as an incompatible use at this location. Incompatibility could relate to: perceptions regarding security and safety; the presence of an inmate population in proximity to permanent residential housing; hours of operation and activity levels at the facility; and, design, aesthetic character and lighting. Potential perceptions regarding incompatibility could be factors during the City Council's consideration of regulatory changes needed to accommodate such a facility.

Furthermore, the Puetz Golf Center has been an established use in this area for many years. Displacement of this use and development of a municipal jail facility at this site could be perceived by neighboring residents and property owners as a negative land use consequence.

### **Aesthetics/Light and Glare**

The northern three-quarters of Site A currently appear as an open grassy area associated with the driving range. The remainder of the site appears as a surface parking area and one-story, office/retail building. The visual character of the immediately surrounding area includes a surface parking area associated with a tow yard immediately north of the site; a Home Depot store to the south; an open grassy area (unimproved Stone Ave. N.) and one and two-story small-scale residential buildings (mobile homes, apartments and single family) to the east; and, one to three-story, small to medium-scale commercial buildings to the west.

Views toward the site are currently possible from the residences and mobile home parks to the east, from the commercial buildings immediately west of the site, and from the Home Depot parking lot. The only public views toward the site from Aurora Ave. N. are at the site's panhandle ingress/egress driveway. Views of a potential municipal jail facility at this location would be possible from the residential areas to the east and the commercial uses west of the site, which would look down upon the development.

<sup>12</sup> DPD, 2005.

<sup>13</sup> Seattle Neighborhood Planning Office [NPO], 1999.

<sup>14</sup> Neighborhood Plan Land Use Goal BL-G9

The visual character of the potential facility would likely be similar to other large-scale commercial uses in the area (i.e., Home Depot to the south and Lowe's to the northwest) depending on the specific design of the building and associated improvements, and is not expected to differ substantially from the height, bulk and scale associated with these other commercial uses.

The City of Seattle has designated 86 viewpoints, parks, scenic routes and view corridors to be protected via its view protection policies (SMC 25.05.675 P). A potential facility at this location would not affect any of the views from these designated viewpoints. The City has also established policies to protect views of designated historic Landmarks. One of the key Landmarks is the Space Needle. The City has identified 10 viewpoints with views toward the Space Needle that should be preserved. Potential development of Site A would not affect views from any of these identified locations.

Current sources of light and glare on Site A include lighting associated with the driving range (which operates until 9 PM each night) and the associated building and parking lot, as well as headlights of vehicles accessing the site. Sources of light and glare in the site vicinity include lighting on the surrounding streets, lighting associated with nearby commercial and residential uses, as well as vehicle headlights. The potential facility would generate light and glare from building and parking lot lighting and vehicle headlights. This is not expected to represent a significant new source of light and glare onsite and in the site vicinity.

## **Historical and Cultural Resources**

As noted previously, one commercial building is located on Site A. According to the King County assessor's records, this wood frame building was built in 1955. The building has not been designated as an historic Landmark by the City of Seattle. However, since the building is over 50 years old, an historic evaluation of the building would be required as part of future SEPA review and the Master Use Permit process relative to development of this site. It is unlikely that this structure would be considered an historic Landmark by the City, given that it does not appear to meet the City's criteria for historic Landmark designation (per SMC 25.12.350). However, the City's Landmarks Preservation Board would make the final determination on Landmark status. No City historic Landmarks are located within the immediate vicinity of Site A.

## **Transportation**

Existing roadways located immediately adjacent to Site A include Aurora Ave. N. to the west and Stone Ave. N. to the east of the site. N. 125<sup>th</sup> St. is located approximately 450 feet north of the site. Aurora Ave. N. is one of the City's two major north/south arterials that serve both local and regional traffic within the City of Seattle. Stone Ave. N., which borders the site to the east, is a local access roadway. That portion of this street adjacent to the site is undeveloped; the street, however, is improved north of the site and also south of the site. Access to Site A is currently provided from one ingress/egress on Aurora Ave. N.

The Seattle Department of Transportation, in cooperation with the Washington State Department of Transportation and the Federal Highway Administration is considering improvements to Aurora Ave. N. between N. 110th St. and N. 145th St. (including adjacent to

Site A).<sup>15</sup> That project is intended to provide transit, pedestrian and safety improvements to this section of Aurora Ave. N., including lane widening, improved pedestrian crossings and driveway consolidation. The project is not expected to affect access to Site A, unless a planting strip is proposed in the median that could limit southbound turning movements.

Transit service is presently available in the site vicinity along Aurora Ave. N.

Because of the panhandle configuration of Site A and a lack of adjoining roadways, primary access to the site with potential development would likely be from one point from Aurora Ave. N. Access from this location would occur via a sloping driveway. A secondary/emergency access is depicted in the test-to-fit diagrams and could potentially be provided via a connection to or an extension of Stone Ave. N.; however, improvements to Stone Ave. N. and/or an easement across a portion of the Home Depot site to the south may be required. Sufficient area appears to be available onsite to accommodate the anticipated amount of surface parking that would be needed.

The potential facility would generate additional traffic on the surrounding road system, as well as additional use of transit service and pedestrian facilities in the vicinity. Existing transportation facilities in the vicinity of Site A appear to be adequate to handle these additional demands. There are no City transportation impact fee/mitigation ordinances established for this area. However, a transportation study could be required as part of the future SEPA process; such analysis would be required to specifically determine project impacts and could result in the need for transportation improvements and other mitigation for the potential project.

## **Utilities**

Stormwater management and sewer and water service would be provided to the potential project via connection to existing municipal utilities. It is assumed that capacity is available to meet the demands of a potential municipal jail facility at this location; this would need to be verified during the design and permit process.

The 2008 geotechnical report<sup>16</sup> indicates that stormwater drainage control using onsite infiltration may be difficult on portions of the site, based on the estimated low permeability of most of the soils that underlay the site. If onsite stormwater infiltration is proposed, additional soil exploration would be required to identify areas where infiltration could be feasible. The project's stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management and water quality treatment, both during construction and as part of operation of the facility.

## **REGULATORY CONSIDERATIONS**

Key regulatory factors that would influence development at this site include: zoning, the Master Use Permit (MUP) process, and SEPA compliance.

This site is zoned C1-65 and jail facilities are a prohibited use in this zone. In order for the City to issue a MUP for a municipal jail facility at this site, regulatory changes would be required. Several strategies may be possible. Outright zone reclassification or a contract rezone,

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<sup>15</sup> USDOT, 2007.

<sup>16</sup> GeoDesign, 2008.

however, do not appear to be feasible, because the only zoning districts that presently allow jail facilities are the Downtown zones and this site is not located within or near downtown.

One possible strategy is a text amendment, which is a Type V legislative process requiring City Council action. The text amendment approach would involve zoning code changes to allow a municipal jail facility at this commercially-zoned site. While a text amendment typically applies uniformly to all such zones City-wide, it may be possible to limit this use authorization to a specific geographic area (localized site area). Similarly, in order to maximize the opportunity for public involvement, the text amendment could authorize a municipal jail facility as a conditional use (administrative or Council) as part of the MUP process.

The text amendment process appears to provide maximum flexibility for the City. The process would entail DPD drafting the proposed text amendment with review by the Law Department. SEPA compliance would be required; it could either occur as a standalone effort focusing only on the text amendment or it could be combined with the overall project SEPA document. DPD would prepare the report that accompanies the text amendment; this document would include an analysis of the amendment and a recommendation. The Hearing Examiner would conduct a public hearing regarding the proposed legislation and submit a recommendation to City Council. A City Council committee may also conduct a public hearing as part of their deliberative process and would forward their recommendation to the full Council for final decision.

Conceivably, coupled with the text amendment process could be the City's Essential Public Facilities process, which involves an inter-jurisdictional analysis, a financial analysis, and specific measures to facilitate siting (SMC 23.80.004).

While no decision is possible concerning a MUP at this site until the zoning issue is resolved, the MUP process could be initiated with review by DPD and the required public process while the text amendment is being finalized. Because this project is a public facility, review by the City's Design Commission would be required. This commission provides key recommendations to DPD concerning the MUP.

Another key component of the MUP process involves SEPA compliance. This process is described in Section 7 of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*. The SEPA process must be completed before DPD can issue the MUP Analysis and Decision.

Once the MUP Analysis and Decision is issued, there is a 14-day appeal period. Assuming that no appeals are filed, the MUP can be issued.

Whereas a Building Permit application can be filed before MUP issuance, the Building Permit (and other construction-related permits) cannot be issued until the MUP has been issued.

## **OTHER FACTORS**

Siting the municipal jail facility will be controversial. While limited concern may be anticipated from commercial land uses north, west and south of the site, strong interest and community opposition may occur from the residential area located east of Stone Ave. N., given the location of the facility and the potential location of the sally port adjacent to the residential area. Others that may be involved include the Haller Lake and Bitter Lake neighborhood community groups, as well as ad hoc groups.

It is assumed that the City would undertake a public involvement process for the municipal jail facility. Coordination between the overall public involvement effort and the SEPA process will be important to ensure consistency of information and to effectively communicate the purpose of the SEPA effort relative to the overall project.

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# **Site B Evaluation 15th AVE W**

## **SITE B EVALUATION – 15<sup>th</sup> AVE. W. (Interbay)**

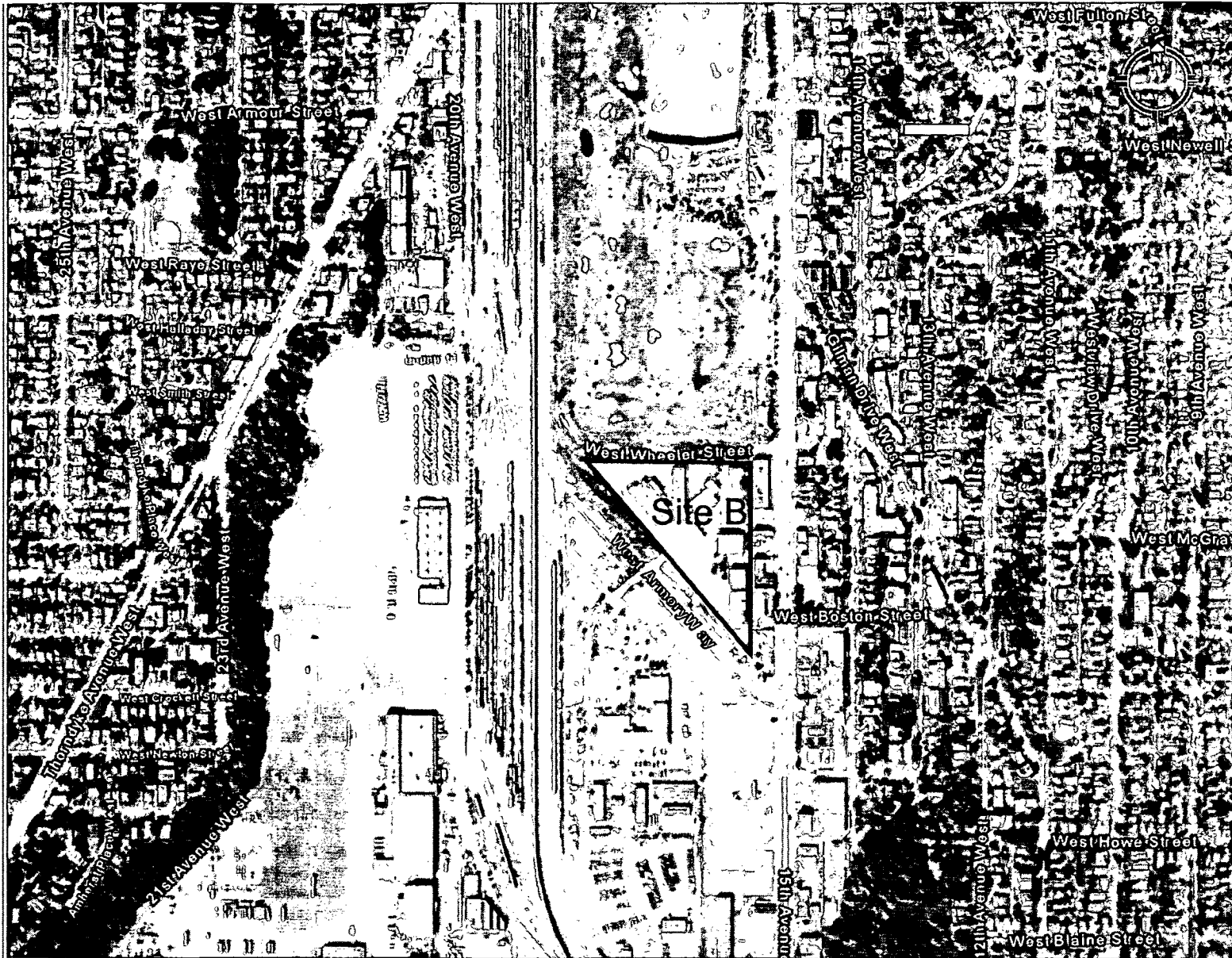
### **Background Information**

This 7.7-acre site is located in north Seattle in the general area between 15th Ave. W., W. Wheeler St., and W. Armory Way (see Figure 3). More specifically, the site is approximately 90 ft. west of 15<sup>th</sup> Ave. W. and adjacent to both W. Wheeler St., (north property line) and W. Armory Way (southwest property line). The segment of W. Wheeler St. that is adjacent to the site is unimproved and W. Armory Way terminates at the northwest corner of the site. A paved alley is located onsite along the site's east boundary. This site is triangular in shape.

The test-to-fit analysis depicts the potential municipal jail facility in the west-central portion of the site with surface parking located in the northwest and southwest areas of the site. A partial street vacation is proposed relative to the unimproved W. Wheeler St. -- to facilitate siting the building and provision of a fire lane along the north-side of the structure. The test-to-fit analysis depicts a sally port for secure misdemeanor transfer on the east-side of the building with the building's service access located in the southeast portion of the structure. Based on the test-to-fit analysis, vehicular access to the building would be from W. Armory Way via several driveways.

From a site characterization standpoint, the site is on-grade with W. Armory Way and slightly below the grade of 15th Ave. W. The site currently contains several commercial/industrial buildings together with surface parking. Land uses surrounding the site include commercial uses located east of the property along the west-side of 15<sup>th</sup> Ave. W., the Seattle Parks Department's Interbay Athletic Facility (golf, soccer, etc.) and P-Patch located immediately north of the site (north of W. Wheeler St.), Burlington Northern Railroad's North Seattle switching yard and main line located northwest of the site, and a Washington National Guard training facility located immediately west of the site.

Environmental considerations (natural and built) associated with this site are presented below.



Source: GoogleEarth, 2008



Preliminary Environmental Evaluation  
for the Siting of the Municipal Jail

Figure 3  
Site B - 15th Ave. W.

# **ENVIRONMENTAL CONSIDERATIONS**

## **Introduction**

The following summarizes preliminary research and investigation of various environmental issues pertaining to the Interbay site under consideration for the new municipal jail facility. Information presented herein is based solely on prior and recent studies and reports and other available data obtained from the City of Seattle and other sources. This information is intended to highlight the key environmental factors and potential constraints that could affect the successful permitting and development of a facility on the site. In most cases, additional investigation and analysis will be required as part of the SEPA and/or permit process to confirm site conditions and to fully understand environmental issues that could affect development of the municipal jail facility. Regulatory considerations and other factors that could pertain are highlighted as well. The following is intended to inform the facility design and ongoing site analysis effort by the City.

## **Natural Environment**

In 2008, a *Report of Geotechnical Engineering Services* and a *Draft Phase I Environmental Site Assessment* were completed for Site B in support of the City's *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*. Studies and correspondence referenced herein were completed as part of these previous and recent environmental analyses. In 2004, an Environmental Impact Statement was issued jointly by the Seattle Popular Monorail Authority and the United States Coast Guard, which evaluated Site B as a potential location for an Operations Center. In 2005, an Environmental Impact Statement was issued by the Port of Seattle for the proposed North Bay project, which is located adjacent to Site B.

## **Earth**

According to the 2008 geotechnical report,<sup>17</sup> the surficial geology of the site is mapped as tideflat deposits. Tideflat deposits are defined as silt, sand and organic sediments that were historically exposed in broad coastal benches at low tide and are now covered with fill. The mapped geology is consistent with conditions encountered in borings completed on the site as part of the 2004 Monorail EIS.

The 2008 geotechnical report confirmed that a surficial layer of fill overlies the entire site varying from loose to dense deposits and extending to depths varying from 4 to 8 feet below ground surface. The fill increases in thickness towards the west.

A 2004 geotechnical report<sup>18</sup> also noted that various obstructions associated with the historic Elliott Avenue trestle (including piles, wood and other debris) could be encountered during excavation in the fill on the site. The 2004 EIS<sup>19</sup> noted that refuse had been used for some fill on sites in the vicinity of the Interbay Landfill, including Site B (see discussion under **Environmental Health** below). The potential presence of municipal landfill deposits beneath the site was noted to be "of particular concern."

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<sup>17</sup> GeoDesign, 2008.

<sup>18</sup> Shannon and Wilson, 2004.

<sup>19</sup> Seattle Monorail Project, 2004.

The topography in the area of Site B is relatively flat. East of the site, the ground surface slopes upward to 15<sup>th</sup> Ave. W. The entire site is mapped by the City as an ECA liquefaction zone, as defined in SMC 25.09.020. The 2008 geotechnical report concluded that the potential exists for liquefaction of some of the soil layers beneath the site. It was estimated that the upper 20 to 30 feet of soil below the ground surface on the eastern one-third of the site could experience liquefaction under a seismic event. The upper 60 to 70 feet below the ground surface on the western portion of the site could experience liquefaction under a significant seismic event. The report also indicated the site is underlain by materials that have a high potential for site amplification during earthquake ground motions.

According to the 2008 geotechnical report, moderate to high levels of earthquake shaking should be anticipated during the design life of any potential development on this site, and it should be designed to resist earthquake loading in accordance with the methodology described in the 2006 IBS. The site is susceptible to liquefaction; therefore, a detailed seismic ground motion study is warranted during the design process to determine specific recommendations for construction.

The 2008 geotechnical report<sup>20</sup> indicated that such site conditions could require deep foundation supports for the building, possibly including driven piles from 35 to 85 feet below the ground surface. Depending on the specific design of the facility and other ancillary structures, other design considerations, such as over-excavation and replacement with structural fill or other ground improvement methods, could be utilized to mitigate the potential for settlement and liquefaction on the site. Potential development of a municipal jail facility on this site would be required to comply with the development standards for liquefaction zones provided in SMC 25.09.100.

It should be noted that other structures have successfully been built onsite and in the surrounding area; standard construction techniques appear to be available to accommodate the potential facility on this site. Additional geotechnical analysis would be prepared as part of the design and construction permit process to determine construction methods (i.e., building foundation techniques) to support potential development on this site.

## **Water Resources**

No ECA surface water features are mapped onsite by the City.

The 2008 geotechnical report<sup>21</sup> conducted on the site concluded that the depth to the groundwater table varies across the site from 2.5 to 10 feet below the ground surface. A monitoring well installed at the western edge of the site at a depth of 65 feet below the ground surface encountered artesian water conditions with a groundwater level equivalent to about 1 foot above the existing ground surface. A shallow groundwater table could increase the complexity and costs associated with construction of below-grade building features such as utility corridors and foundations. The 2008 report indicated that dewatering of excavations should be anticipated for excavations of more than 3 to 8 feet deep. Further analysis to determine specific construction methods and specific dewatering requirements would be required as part of the permit process for a municipal jail facility on this site.

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<sup>20</sup> GeoDesign, 2008.

<sup>21</sup> GeoDesign, 2008.

## Plants/Animals

Site B is developed with little or no vegetation present onsite. No substantial habitat exists onsite.

A biological assessment was completed for the vicinity as part of the 2005 EIS for the North Bay project. The assessment indicates there are no currently-listed threatened or endangered animal or plant species known to occur on or in the vicinity of the site.

## Environmental Health

Site B is located in an urban, developed area. Several warehouses, industrial-type buildings and a large parking lot cover most of the site. Previous uses on the site include an insecticide manufacturer, an oil storage company, a nursery, a mattress manufacturer, a sheet metal works<sup>22</sup> and a US Navy depot with fueling stations. A current tenant at the site is the Puget Sound Laundry Service.

The 2004 EIS<sup>23</sup> noted several documented onsite and nearby contaminated sites of concern. Adjacent sites of concern include a rubber cement manufacturer, welding/machine shop, National Guard, railroad tracks, laundry facility, warehouse, and other current state and federal database sites. The EIS indicated that, "construction activities in this general area, however, should be prepared to encounter possible contaminated soil and groundwater."

The former Interbay Landfill is located adjacent to the site -- north of W. Wheeler St. This landfill has a reported release of various compounds to soil, groundwater and surface water.<sup>24</sup> The entire Site B is mapped as an Environmental Critical Area methane buffer, per SMC 25.09.020, due to its proximity to the landfill. Development on this site could be susceptible to accumulations of hazardous levels of methane gas in enclosed spaces. Methane barriers or appropriate ventilation measures could be required as part of development on this site. Analysis would be required as part of the permit process to identify applicable mitigation measures to address potential impacts from methane, such as methane gas migration and the accumulation of concentrations of methane gas within or under enclosed portions of the structures.

The 2008 *Draft Phase I Environmental Site Assessment*<sup>25</sup> identified several conditions that may be indicative of releases or possible releases of hazardous substances or petroleum products into the soils or groundwater in the site area, including the following:

- The US Navy depot, including fueling stations with the potential to release petroleum products, occupied the site from the 1940s through the 1970s;
- Puget Sound Laundry Services presently occupies a portion of the site; the laundry has the potential to release hazardous substances;
- The 2008 geotechnical report identified fill material with various possible contaminant sources, including low concentrations of petroleum, metals and arsenic in site soils; and,
- Three underground storage tanks were removed from the site in 1995.

<sup>22</sup> Seattle Monorail Project, March 2004.

<sup>23</sup> Seattle Monorail Project, March 2004.

<sup>24</sup> Seattle Monorail Project, March 2004.

<sup>25</sup> G-Logics, 2008.

In terms of adjoining properties, the 2008 environmental assessment identified the former Interbay landfill adjacent to the site as a possible source of pesticides, priority metals, and Polynuclear Aromatic Hydrocarbons (PAH contamination) that has the potential to have impacted the site. Other surrounding uses with the potential to have impacted the site include: the former US Navy laundry building to the southwest; former tenants including a concrete product manufacturer, machine shops and chemical companies to the east; and, the Seattle Electric Company, Wadhams Oil Company and a mattress factory with oil storage to the southeast.

The 2008 environmental assessment recommended that a Phase II environmental assessment be conducted as part of the permit process to determine the actual presence of soil and/or groundwater contaminants. A Phase II environmental assessment was completed for the site in 2004 (CDM 2004), but was not available during preparation of this analysis. This study could provide more information about the type, location and extent of potential onsite contamination.

## **Noise**

The commercial and warehouse uses that occupy Site B generate minor amounts of noise -- primarily related to vehicular traffic and loading/unloading activities. In the site vicinity, the major source of noise is vehicular traffic traveling on the surrounding street system -- predominantly 15<sup>th</sup> Ave. W. -- as well as trains traveling on the BNSF main lines. The rail line is the main line through Seattle with an average of 80 trains per day. The Interbay area also includes the City's north switching yard. Activities associated with commercial and industrial uses in the area also generate noise. Noise-sensitive uses in the site vicinity include residential uses in the Queen Anne neighborhood to the east of the site, across 15<sup>th</sup> Ave. W. and residential uses west of the switching yard.

The potential facility would result in ambient noise associated with construction and operation of the facility. The 2008 geotechnical analysis<sup>26</sup> indicated that site conditions could require deep foundation supports for buildings, possibly including piles from 35 to 85 feet below the ground surface. Due to the onsite geotechnical and groundwater conditions, drilled foundations and piles may not be suitable for this site. Driven piles were identified as potentially being more suitable for this site. The report indicated that noise and vibrations created during pile driving could be a concern and could temporarily impact nearby residences and buildings adjacent to the site. Such potential concerns would be addressed during the design and permit process to prevent significant impacts to any adjacent uses.

Periodic noise from operation of the facility would be generated by project traffic and other activity at the facility. Such noise would not represent a substantial change over the noise generated by the existing commercial and warehouse uses onsite. Both construction and operational noise would be expected to conform to the City's Noise Code.<sup>27</sup>

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<sup>26</sup> GeoDesign, 2008.

<sup>27</sup> SMC 25.08

## **Built Environment**

### **Land Use**

#### ***Land Use Patterns***

This site consists of two tax parcels totaling approximately 7.7 acres in area and zoned IG2 U/45 (General Industrial 2, height limit: 45 feet). The larger parcel on W. Armory Way is occupied by three wood frame buildings, which include warehouse/storage, job training relative to laundry service, and light manufacturing uses. The smaller parcel, at the northeast portion of the site, contains a storage warehouse for the Northwest Center of the Retarded. Land uses adjacent to the site include the following.

- **North of the Site** -- Interbay Golf Center is located immediately north of this site. This facility includes a golf course, retail store and clubhouse, driving range and associated parking. A community P-Patch is located adjacent to the northeast corner of Site B.
- **East of the Site** -- A variety of commercial and residential uses are located in this area. Along the west-side of 15th Ave. W. businesses include: Victory Studios Electronics and Graphic Duplications store, two vacant stores, an Alpine Hut retail store, SuperGraphics Reprographics store, and the Seattle Animal Shelter. Along the east side of 15<sup>th</sup> Ave. W. uses include: a surface parking lot, Seattle Pump Company, Sports Exchange warehouse, four single family residences and a residential duplex.
- **South of the Site** -- A Washington Army National Guard training facility is located south of the site (across W. Armory Way). This facility includes a large building and surface parking; this facility is fenced. A large parcel at the southwest corner of W. Armory Way and 15<sup>th</sup> Avenue W. is currently being developed for a Whole Foods supermarket and associated retail space.
- **West of the Site** -- This area includes right-of-way and railroad tracks owned by the BNSF Railroad and is part of the City's north switching yard. Trackage in this area is part of the main line through Seattle, which carries approximately 80 commercial and passenger trains per day. Port of Seattle property is located immediately west of the trackage and residential uses are located along the east-facing hillside of the Magnolia neighborhood.

#### ***Compatibility/Consistency with Zoning, Neighborhood Plans and Existing Uses***

Jail facilities are a prohibited use in the City's Industrial zones,<sup>28</sup> therefore, regulatory changes would be required to accommodate a municipal jail facility at this site (see the **Regulatory Considerations** discussion for this site alternative).

On the City's *Future Land Use Map*, this site alternative is designated as industrial use and uses along 15<sup>th</sup> Ave. W. are identified as Commercial/Mixed Use. This site is within the general Urban Village overlay zone.

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<sup>28</sup> SMC 23.50.012

This site alternative is located within the area of the *Ballard-Interbay-Northend Manufacturing and Industrial Center (BINMIC) Neighborhood Plan*.<sup>29</sup> The *BINMIC Plan* includes policies to preserve land for industrial activities and maintain the manufacturing and industrial center as an area to accommodate industrial activities. The Plan also notes that within the manufacturing and industrial center; water-dependent and industrial uses will have the highest priority.<sup>30</sup>

Potential development of a municipal jail facility at this site would result in the conversion of a site that contains warehouse/storage and other mixed commercial/manufacturing uses to a public facility. There are other public and industrial uses proximate to the site (e.g., National Guard and rail facilities); however, given the presence of residential (e.g., Magnolia and Queen Anne neighborhoods), recreational (including the P-Patch) and existing and new commercial uses that are being developed proximate to the site, a municipal jail facility could be perceived as an incompatible use at this location.

Potential perceptions regarding incompatibility could be factors during the City Council's consideration of regulatory changes needed to accommodate such a facility. Conversion would also represent a reduction of the industrial land base in the BINMIC area. This conversion could be perceived as being inconsistent with the goals and policies of the BINMIC Neighborhood Plan.

### **Aesthetics/Light and Glare**

Site B currently features a range of one to three-story commercial/warehouse buildings and associated surface parking areas. The visual character of the immediately surrounding area includes an open grassy area to the north associated with the Interbay Athletic Complex (and the community P-Patch); one-story, large-scale commercial and institutional buildings to the south (the Whole Foods Market complex (under construction) and the National Guard Armory building); one-story commercial buildings to the east; and, the BNSF rail lines to the west.

The site can be currently viewed at a distance from the Queen Anne and Magnolia neighborhoods to the east and west, respectively. Views of the site from 15<sup>th</sup> Ave. W. are primarily blocked by the intervening commercial buildings along the west-side of 15<sup>th</sup> Ave. W.

The visual character of the potential facility would be similar to other large-scale commercial and industrial uses in the area (i.e., the Whole Foods Market, under construction, and National Guard Armory building to the south) and is not expected to differ substantially from the height, bulk and scale associated with these other nearby commercial and industrial uses. The facility would be visible at a distance from the Queen Anne and Magnolia neighborhoods, which would look down upon the site. These neighborhoods currently view the site within the context of an urban, developed area. Potential development of Site B would not affect public views from any of the City's designated viewpoints, scenic routes or view corridors.

Current sources of light and glare on Site B include building and parking lot lighting, as well as headlights of vehicles accessing the site. Sources of light and glare in the site vicinity include lighting on the surrounding street system and commercial uses, lighting associated with the golf driving range, and light associated with vehicle headlights. The potential facility would generate light and glare from building and parking lot lighting, as well as vehicle headlights. This would not represent a significant new source of light and glare onsite or in the site vicinity.

<sup>29</sup> Seattle Neighborhood Planning Office, 1998.

<sup>30</sup> Neighborhood Plan Policy BI-P12

## **Historical and Cultural Resources**

According to the Draft Phase I environmental assessment<sup>31</sup> prepared in April 2008, historic land uses on Site B include residential, commercial, manufacturing and warehouse uses. The site was previously part of a U.S. Navy supply depot and is underlain by fill soils. As noted previously, there are several buildings presently located on this site. According to the King County assessor's records, a wood frame warehouse building and a wood frame storage building onsite were both built in 1942. Neither of the buildings has been designated as an historic Landmark by the City of Seattle. However, these buildings are both over 50 years old, and an historic evaluation of the buildings would be required as part of future SEPA review and the Master Use Permit process associated with redevelopment of this site. It is unlikely that these structures would be considered historic Landmarks by the City, given that they do not appear to meet the City's criteria for historic Landmark designation (per SMC 25.12.350). However, the City's Landmarks Preservation Board would make the final determination on Landmark status. No City historic Landmarks are located within the immediate vicinity of Site B.

Site B is located within an area designated by the City as a Government Meander Line Buffer (the meander line buffer passes through the southwestern portion of this site). The buffer is an area within 200 feet of the U.S. Government Meander Line; the meander line was established in the late 1800s and approximates the historical shoreline associated with Puget Sound. Any project located within the buffer is required to provide an evaluation of potential cultural resources as part of SEPA review. Preliminary research indicates that several previous cultural investigations have been conducted within the site vicinity; these studies would need to be reviewed by a cultural historian to determine applicability to the site. A cultural evaluation would be required to assess the site's potential archaeological significance. Development of the potential facility would require demolition/removal of the two structures onsite. Site grading would disturb the fill soils onsite and could have the potential to unearth materials of archaeological significance. Appropriate mitigation measures would need to be identified to address procedures for handling the possible discovery of such materials.

## **Transportation**

Existing roadways located immediately adjacent to Site B include W. Wheeler St. to the north and W. Armory Way to the southwest. 15<sup>th</sup> Ave. W., a principal arterial, is located approximately 90 feet east of the site. The 15<sup>th</sup>/Elliott Ave. W. corridor provides for north-south travel between downtown Seattle, Ballard and north Seattle. W. Wheeler St. and W. Armory Way are local access roadways. W. Wheeler St. is an unimproved right-of-way and W. Armory Way dead-ends at the rail yard, adjacent to the site. Secondary access to some existing onsite buildings and adjacent offsite commercial buildings to the immediate east is also provided via an alley along the eastern boundary of the site. Primary ingress/egress to the site is presently from W. Armory Way.

Transit service is presently available in the site vicinity along 15<sup>th</sup> Ave. W.

The BNSF Railway owns and operates a double-track mainline and switching yard in the vicinity of Site B. In addition to freight traffic, the BNSF mainline is used by Amtrak and Sound Transit Commuter Rail service. Rail activities occur along the mainline tracks seven days per week. As this is the main line through the City, approximately 80 trains pass through this area every day.

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<sup>31</sup> G-logics, 2008.

The potential facility would generate additional traffic on the surrounding road system, as well as additional use of transit service and pedestrian facilities in the vicinity. Existing transportation facilities in the vicinity of Site B appear to be adequate to handle these additional demands. Access to the site could be provided from W. Armory Way; frontage improvements along W. Armory Way would likely be required. A partial street vacation of the unimproved W. Wheeler St. may be necessary in order to effectively site the building and provide fire lane access along the north-side of the structure. Sufficient area appears to be available onsite to accommodate the anticipated parking (assuming the partial street vacation).

There are no City transportation impact fee/mitigation ordinances established for this area. However, a transportation study could be required as part of the future SEPA process; such analysis would be required to specifically determine project impacts and could result in the need for transportation mitigation for the potential project.

### **Utilities**

Stormwater management and sewer and water service would likely be provided to the potential project via connection to existing municipal lines. It is assumed that capacity is available to meet the demands of the municipal jail facility; this will need to be verified during the design and permitting process. The stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management and water quality treatment, both during construction and as part of operation of the facility.

## **REGULATORY CONSIDERATIONS**

Key regulatory factors that would influence development at this site include: zoning, a partial street vacation, the Master Use Permit (MUP) process, and SEPA compliance.

This site is zoned IG2-U/45 and jail facilities are a prohibited use in this zone. In order for the City to issue a MUP for a municipal jail facility at this site, regulatory changes would be required. Several strategies may be possible. Outright zone reclassification or a contract rezone, however, do not appear to be feasible, because the only zoning districts that presently allow jail facilities are the Downtown zones and this site is not located within or near downtown.

One possible strategy is a text amendment, which is a Type V legislative process requiring City Council action. The text amendment approach would involve zoning code changes to allow a municipal jail facility at this industrially-zoned site. While a text amendment typically applies uniformly to all such zones City-wide, it may be possible to limit this use authorization to a specific geographic area (localized site area). Similarly, in order to maximize the opportunity for public involvement, the text amendment could authorize a municipal jail facility as a conditional use (administrative or Council) as part of the MUP process.

The text amendment process appears to provide maximum flexibility for the City. The process would entail DPD drafting the proposed text amendment with review by the Law Department. SEPA compliance would be required; it could either occur as a standalone effort focusing only on the text amendment or it could be combined with the overall project SEPA document. DPD would prepare the report that accompanies the text amendment; this document would include an analysis of the amendment and a recommendation. The Hearing Examiner would conduct a public hearing regarding the proposed legislation and submit a recommendation to City Council.

A City Council committee may also conduct a public hearing as part of their deliberative process and would forward their recommendation to the full Council for final decision.

Conceivably, coupled with the text amendment process could be the City's Essential Public Facilities process, which involves an inter-jurisdictional analysis, a financial analysis, and specific measures to facilitate siting (SMC 23.80.004).

While no decision is possible concerning a MUP at this site until the zoning issue is resolved, the MUP process could be initiated with review by DPD and the public process while zoning is being finalized. Because this project is a public facility, review by the City's Design Commission would be required. This commission provides key recommendations to DPD concerning the MUP.

In addition, as noted in the Background Information regarding this site, a partial street vacation may be required relative to the unimproved W. Wheeler St. -- to facilitate siting the building and provision of a fire lane along the north-side of the structure. Street vacations are City Council legislative decisions -- involving extensive review by City departments, neighborhood organizations, community groups, area businesses, other affected public agencies (e.g., Port of Seattle, King County, etc.), utility providers, and railroads. The process includes involvement by the Design Commission, a recommendation from the Seattle Department of Transportation, and a public hearing. A key factor in the Council's decision is the long-term public benefit of granting such a vacation. The City Council's decisions regarding the vacation must occur before the MUP can be issued.

Another key component of the MUP process involves SEPA compliance. This process is described in Section 7 of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*. The SEPA process must be completed before DPD can issue the MUP Analysis and Decision.

Once the MUP Analysis and Decision is issued, there is a 14-day appeal period. Assuming that no appeals are filed, the MUP can be issued.

Whereas a Building Permit application can be filed before MUP issuance, the Building Permit (and other construction-related permits) cannot be issued until the MUP permit has been issued.

## **OTHER FACTORS**

Siting the municipal jail facility will be controversial. While limited concern may be anticipated from the commercial, rail, Port or National Guard land uses that are proximate to the site, strong interest and community opposition may occur from ad hoc groups in residential areas located west of the rail yard on Magnolia Bluff and east of 15<sup>th</sup> Ave. W. on Queen Anne Hill. Users and advocates of the recreational facility and community P-Patch may also be interested. Others that may be involved include the Magnolia Community Club and the Queen Anne Community Council. Conversion of industrially-zoned property for public use could also raise issues with the manufacturing/industrial community.

It is assumed that the City would undertake a public involvement process for the municipal jail facility. Coordination between the overall public involvement effort and the SEPA process will be important to ensure consistency of information and to effectively communicate the purpose of the SEPA effort relative to the overall project.

(divider pg. -- tabbed)

**Site C Evaluation**  
**W. MARGINAL WAY S.W.**

## **SITE C EVALUATION – W. MARGINAL WAY S.W.**

### **Background Information**

This 10.7-acre site is located in south Seattle and is bordered by W. Marginal Way S.W., Highland Park Way S.W. and 2<sup>nd</sup> Ave. S.W. (see Figure 4). The site is triangular in shape.

The test-to-fit analysis depicts the potential municipal jail facility in the west-central portion of the site with surface parking in the northwest, southwest and east areas of the site. The test-to-fit analysis also depicts a sally port for secure misdemeanor transfer on the east-side of the building with the building's service access located in the southeast portion of the structure. Based on the test-to-fit analysis, vehicular access to a facility at this location would be from each of the surrounding streets.

From a site characterization standpoint, the site is generally on-grade with each of the surrounding streets. The site is largely undeveloped and the land uses that surround the site are all industrial in nature.

Environmental considerations (natural and built) associated with this site are presented below.



Source: GoogleEarth, 2008



Preliminary Environmental Evaluation  
for the Siting of the Municipal Jail

Figure 4

Site C - W. Marginal Way S.W.

# **ENVIRONMENTAL CONSIDERATIONS**

## **Introduction**

The following summarizes preliminary research and investigation of various environmental issues pertaining to the West Marginal Way site under consideration for the new municipal jail facility. Information presented herein is based solely on prior and recent studies and reports and other available data obtained from the City of Seattle and other sources. This information is intended to highlight the key environmental factors and potential constraints that could affect the successful permitting and development of a facility on the site. In most cases, additional investigation and analysis will be required as part of the SEPA and/or permitting process to confirm site conditions and to fully understand environmental issues that could affect development of the municipal jail facility. Regulatory considerations and other factors that could pertain are highlighted as well. The following is intended to inform the facility design and ongoing site analysis effort by the City.

## **Natural Environment**

In 2008, a *Draft Phase I Environmental Site Assessment, Report of Geotechnical Engineering Services* and a *Wetland Evaluation* were completed for Site C. Studies referenced herein were completed as part of these previous and recent environmental analyses. In 1992, the United States Department of Transportation (USDOT), the Seattle Department of Transportation and the City of Seattle issued an Environmental Impact Statement for the *First Avenue South Bridge – SR 99 Crossing the Duwamish River* project. The study area for this previous EIS included the Site C area.

### **Earth**

Site C is located in an industrial area and includes graveled, paved or undeveloped areas. The majority of the site has been graded and filled. According to the 2008 geotechnical report,<sup>32</sup> the surficial geology of the site is mapped as modified land and Quaternary alluvium. Modified land generally consists of fill materials placed during past grading activities. The mapped geology is consistent with conditions encountered on the site.

The 2008 geotechnical report confirmed that a surficial layer of fill overlies the entire site varying from very loose to loose with regards to density, except near the surface in improved areas where it has been compacted. The fill on the site is classified as “undocumented or non-engineered fill” because of its variable composition (including man-made debris and organic matter). The fill is underlain by a layer of loose to dense alluvium deposits. The fill increases in thickness towards the west. The loose fill and alluvium layers are underlain by a very dense layer of glacial deposits.

The entire site is mapped by the City as an ECA liquefaction zone, as defined in SMC 25.09.020. The 2008 geotechnical report confirmed that localized zones within the loose fill and alluvium soils are susceptible to liquefaction. These soils are anticipated to extend to depths of 30 feet in the northwest corner of the site to over 50 feet in the southeast corner of the site.

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<sup>32</sup> GeoDesign, 2008.

Potential development of a municipal jail facility on this site would be required to comply with the development standards for liquefaction zones provided in SMC 25.09.100. These requirements would include further analysis during the design and construction permit process to provide specific recommendations for building development on this site (use of deep foundations, ground improvement techniques, etc).

Several small areas in the north portion of Site C are mapped as ECA 40 percent steep slopes or greater, as defined in SMC 25.09.020. The 2008 geotechnical report for Site C indicated there are actually no steep slopes present on the site that should be classified as an environmental hazard. The report further indicated that recent regrading of the site is not reflected on the topographic maps issued by the City. In addition, the existing engineered berm around the perimeter of the site is limited in height and does not appear to be tall enough to be classified as a steep slope.

## **Water Resources**

No ECA surface water features are mapped onsite by the City. A *Wetland Evaluation*<sup>33</sup> was conducted on Site C in 2008 which determined that no wetlands are located onsite. The *Wetland Evaluation* indicated that two roadside ditches are present onsite that are assumed to discharge to the Duwamish Waterway, one along 2<sup>nd</sup> Avenue SW and the other along Highland Parkway SW. The Duwamish Waterway is considered a water of the U.S. and, therefore, the ditches are "likely to be under US Army Corps of Engineers jurisdiction". according to the report.

If these onsite ditches are determined to be under the jurisdiction of the US Army Corps of Engineers and development of a municipal jail facility on this site could not avoid impacting these ditches, state and/or federal approvals could be required.

As part of the SEPA or permit process for potential development of a municipal jail facility on this site, hydrologic conditions would need to be confirmed (including the jurisdictional status of the ditches), potential impacts from the development evaluated, and applicable mitigation identified.

The 2008 geotechnical report indicated that the groundwater levels on the site vary from approximately 4 ft. below ground surface to approximately 11.5 ft. below ground surface. The shallow groundwater table could increase the complexity and costs associated with construction of below-grade building features, such as utility corridors and foundations, and could affect the ability to infiltrate stormwater onsite.

## **Plants/Animals**

Site C has been graded and filled to accommodate previous and current uses. The site currently has limited vegetation in the form of grasses and early-successional shrubs (e.g., scotch broom, etc.). No significant habitat currently exists onsite. There are no currently-listed threatened or endangered animal or plant species known to occur on or in the vicinity of the site.

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<sup>33</sup> Herrera, 2008.

## Environmental Health

The 2008 Draft Phase I environmental assessment<sup>34</sup> identified several conditions indicative of releases or possible releases of hazardous substances or petroleum products into the soils or groundwater at the site, including the following:

- A metal fabrication plant occupied the site from 1946 to 1973 and gasoline and oil tanks may have been present at the southeast corner of the plant;
- Lloyd Electric Apparatus, a manufacturer of electrical equipment, occupied the site from 1975 to recently. Lloyd Electric was a small quantity hazardous-waste generator during at least the 1990s and for several years in the 1990s was listed as a large quantity hazardous waste generator;
- The site is underlain by fill materials. A former slough at the western end of the site may have been filled with Duwamish River dredge spoils;
- In the 1960s, the northwest and southeast corners of the site were used for the storage of unknown materials, possibly including utility poles and drums; and,
- A groundwater sample collected in 1993 from a monitoring well onsite contained petroleum-hydrocarbons, however, not at levels that trigger Model Toxics Control Act (MTCA) cleanup requirements.

In terms of adjoining properties, the 2008 environmental assessment identified Eastern Supply (a distributor of dry cleaning products) located to the south of the site as a possible source of contaminant release to the site. A chlorinated solvent release recorded at Eastern Supply in 1990 could have impacted the site. In 2005, elevated levels of vinyl chloride were detected in monitoring wells located down-gradient of Eastern Supply, adjacent to the site. The assessment indicated that three landfills and/or solid waste disposal sites were located within 0.5 mile of the site. The nearest is the Waste Management transfer station located to the southwest of the site.

No former landfills or methane buffers are mapped in the vicinity of the site by the City.

The 2008 environmental assessment recommended that a Phase II environmental assessment be conducted at the site as part of the permit process to determine the actual presence of soil and/or groundwater contaminants.

Based on communication with the City and Washington State Department of Transportation staff,<sup>35</sup> limited areas of contamination were identified onsite in conjunction with construction of the 1<sup>st</sup> Avenue S. Bridge in the 1990s. Contaminants at these localized hotspots were not at levels that triggered Model Toxics Control Act (MTCA) cleanup requirements, however.

## Noise

The office/warehouse use that presently occupies Site C may generate minor amounts of noise, primarily related to vehicular traffic and loading/unloading activities. In the site vicinity, the major source of noise is vehicular traffic traveling on the surrounding street system -- notably S.W. Michigan St. and SR 509. Activities associated with commercial and industrial uses in the

<sup>34</sup> G-Logics, 2008.

<sup>35</sup> Personal communication with City of Seattle and WSDOT staff, 2008.

area also generate noise. There are no known noise-sensitive uses in the immediate site vicinity.

The potential development would result in ambient noise associated with construction and operation of the facility. Periodic noise from operation of the facility would be generated by project traffic and other activity at the facility. This noise would not represent a substantial change over the noise generated by the existing office/warehouse uses onsite. Both construction and operational noise would be expected to conform with the City's Noise Code.<sup>36</sup>

## **Built Environment**

### **Land Use**

#### ***Land Use Patterns***

The site consists of several tax parcels totaling approximately 10.7 acres. The site is zoned IG2 U/85 (General Industrial 2, height limit: 85 feet).

The majority of this site is undeveloped with limited vegetation in the form of grasses and shrubs. There is one office/warehouse building on the site, which is located in the northwest portion of the site along W. Marginal Way. A small, paved, unstriped asphalt informal parking area is located adjacent to this building. A portion of the northeast area of the site (near 2<sup>nd</sup> Ave. S.W.) is graveled and contains large stacked containers. In the southeast portion of the site there are several large sections of concrete pipe (6-8 ft. in diameter). The closest residential uses are located approximately one-half mile southwest of the site, along the hill side.

This site is bounded by three major streets: W. Marginal Way on the southwest, Highland Park Way S.W. on the north, and 2<sup>nd</sup> Ave. S.W. on the east. Nearby land uses include the following:

- **North of the Site** – This area contains warehouse and cold storage buildings along S.W. Michigan St. (immediately north of Highland Park Way S.W.) associated with the Port of Seattle and a Foss Environmental office building located near the intersection of S.W. Michigan St. and 2<sup>nd</sup> Ave. S.W.
- **West and South of the Site** – Land uses located west and south of W. Marginal Way S.W. include Pacific Plumbing, a Waste Management transfer station, and a Jones Stevedoring warehouse.
- **East of the Site** -- The large parcel east of 2<sup>nd</sup> Ave. S.W. is a stormwater drainage detention facility; SR 509 is located directly east of that parcel.

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<sup>36</sup> SMC 25.08

### **Compatibility/Consistency with Zoning, Neighborhood Plans and Existing Uses**

Jail facilities are a prohibited use in the City's Industrial zones;<sup>37</sup> therefore, regulatory changes would be required to accommodate a municipal jail facility at this site (see the **Regulatory Considerations** discussion for this site alternative).

On the City's *Future Land Use Map* the site is designated for industrial use, as are uses along adjacent streets. This site is also located within the area of the *Greater Duwamish Manufacturing and Industrial Center Neighborhood Plan*.<sup>38</sup> This Plan includes goals and policies indicating that land within the planning area should be maintained for industrial uses and that location and expansion of non-industrial uses, including publicly sponsored non-industrial uses, should be limited. One goal specifically addresses public facilities by indicating that industrial land is a limited resource with high demand, which should be considered when siting public uses.

Potential development of a municipal jail facility at this site would convert the existing industrially-zoned site to a public facility. Such conversion would result in a reduction of the industrial land base in the city. This conversion could be viewed as being inconsistent with the goals and policies of the *Greater Duwamish Manufacturing and Industrial Center Neighborhood Plan*. However, given the lack of residential and commercial uses in the site area, a municipal jail facility could be perceived as a compatible use in this industrial context.

### **Aesthetics/Light and Glare**

The majority of Site C currently appears as an open, vacant, undeveloped parcel; one, one-story, large-scale building and associated surface parking area is present in the extreme northwest portion of the site. Gravel access roads and parking areas are present in the southeast portion of the site. Groups of trees are located along portions of the site perimeter and scattered vegetation occurs throughout the site. The visual character of the immediately surrounding area includes: one to two-story, large-scale buildings associated with industrial/warehouse uses to the north, south and west of the site. Residential areas are located further to the west.

Views to the site may be possible from SR 509, which is approximately 400 ft. east of the site. Partial views of the site may also be possible from the single-family residential area upslope to the west, although it is separated by a greenbelt and substantial distance.

The potential building would be larger than the existing building onsite, but similar to other large-scale commercial and industrial buildings in the area (i.e. the waste management transfer station to the southwest and the Port of Seattle facilities to the north) and would not likely represent a major change in the visual environment. Partial views of the potential development through existing vegetation could occur from the single-family residential area upslope to the west of the site. Views of the potential development, as well as other industrial/warehouse development in the area, would also be possible from SR 509, a scenic route designated by the City. Potential development of Site C would not affect public views from any other viewpoints, parks, scenic routes or view corridors designated by the City for protection.

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<sup>37</sup> SMC 23.50.012

<sup>38</sup> NPO, 1999.

Current sources of light and glare on Site C include building and parking lot lighting and headlights of vehicles accessing the site. Sources of light and glare in the site vicinity include lighting on the surrounding street system and industrial/warehouse uses, as well as vehicle headlights. The potential development would generate light and glare from building and parking lot lighting and vehicle headlights. This would not represent a significant new source of light and glare onsite and in the site vicinity.

## **Historical and Cultural Resources**

One building is presently located on Site C. According to the King County assessor's records, this masonry warehouse/office building was built in 1975. This building has not been designated as an historic Landmark by the City of Seattle and historic evaluation of this building would not likely need to be included as part of future SEPA review associated with redevelopment of this site, because the structure is less than 50 years old. According to the Draft Phase I environmental assessment<sup>39</sup> prepared in April 2008, and communication with City and Washington State Department of Transportation staff<sup>40</sup>, historic land uses on Site C include: a glass yard, temporary highway ramps and a metal fabrication plant. No City historic Landmarks are located within the immediate vicinity of Site C. Therefore, potential development of the site would not be expected to affect any historical resources.

Much of the land area within the vicinity of the Duwamish Waterway is within a Government Meander Line Buffer area as a result of realignment of the Duwamish and extensive filling that historically occurred in this portion of South Seattle. Any such property that is located within the 400-foot wide buffer and is undergoing redevelopment is required to provide an evaluation of potential cultural resources as part of SEPA review. Site C, however, is located several hundred feet outside the buffer.

According to the King County Office of Historic Preservation,<sup>41</sup> the site is located on a slight rise in the Duwamish flood plain and is less than 0.25 mile from the channelized river. The 1895 quadrangle map shows a creek passing through the area immediately to the west of the site, and an ethnographic place name that includes the western portion of the site is for a slough and canoe passage. Nine other ethnographic places are located within one mile of the site, including two referring to village/camp sites. The site is approximately 1.5 miles south of a state-registered archaeological site. Although the site contains no known archaeological deposits, there appears to be potential for archaeological resources to be present onsite.

Therefore, an evaluation of potential cultural resources could be completed as part of the SEPA review process, and/or mitigation measures could be identified in the case that materials of cultural significance are unearthed during grading and construction activities.

## **Transportation**

Existing roadways located immediately adjacent to Site C include Highland Park Way S.W. to the north, W. Marginal Way S.W. to the southwest and 2<sup>nd</sup> Ave. S.W. to the east. Further to the east of the site is SR 509. Highland Park Way S.W., W. Marginal Way S.W. and 2<sup>nd</sup> Ave. S.W. are all principal arterials. SR 509 is a major north/south route that serves the surrounding area

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<sup>39</sup> G-logics, 2008.

<sup>40</sup> Personal communication with City of Seattle and WSDOT staff, 2008.

<sup>41</sup> King County Office of Historic Preservation, 2008.

and the region. Primary access to the site is currently provided from one ingress/egress on W. Marginal Way S.W.; a secondary access is provided from 2<sup>nd</sup> Ave. S.W.

Transit service is presently available in the site vicinity of S.W. Michigan St./Highland Park Way S.W.

The potential development would generate additional traffic on the surrounding road system, as well as additional use of transit service and pedestrian facilities in the vicinity. Existing transportation facilities in the vicinity of Site C appear to be adequate to handle these additional demands. Access to the site could be provided from W. Marginal Way S.W., Highland Park Way S.W. and/or 2<sup>nd</sup> Ave. S.W. Frontage improvements along the primary site access could be required. Sufficient area appears to be available onsite to accommodate the anticipated parking.

There are no City transportation impact fee/mitigation ordinances established for this area. However, a transportation study could be required as part of the future SEPA process; such analysis would be required to specifically determine project impacts and could result in the need for transportation improvements and other mitigation for the potential project.

## **Utilities**

Stormwater management and sewer and water service would be provided to the potential project via connection to existing municipal lines. It is assumed that capacity is available to meet the demands of the municipal jail facility; this will need to be verified during the design and permitting process.

According to the 2008 geotechnical report, onsite stormwater infiltration may not be feasible due to the shallow onsite groundwater table. The stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management and water quality treatment, both during construction and as part of operation of the facility. Site C is located proximate to the Duwamish River and stormwater runoff from the site likely discharges to the river. Compliance with applicable City regulations would protect this water resource from potential erosion/sedimentation and water quality impacts during both construction and operation of the potential project.

## **REGULATORY CONSIDERATIONS**

Key regulatory factors that would influence development at this site include: zoning, the Master Use Permit (MUP) process, and SEPA compliance.

This site is zoned IG2-U/85 and jail facilities are a prohibited use in this zone. In order for the City to issue a MUP for a municipal jail facility at this site, regulatory changes would be required. Several strategies may be possible. Outright zone reclassification or a contract rezone, however, do not appear to be feasible, because the only zoning districts that presently allow jail facilities are the Downtown zones and this site is not located within or near downtown.

A text amendment would be a Type V legislative process requiring City Council action. The text amendment approach would involve zoning code changes to allow a municipal jail facility at this industrially-zoned site. While a text amendment typically applies uniformly to all such zones City-wide, it may be possible to limit this use authorization to a specific geographic area (localized site area). Similarly, in order to maximize the opportunity for public involvement, the text amendment could authorize a municipal jail facility as a conditional use (administrative or Council) as part of the MUP process.

The text amendment process appears to provide maximum flexibility for the City. The process would entail DPD drafting the proposed text amendment with review by the Law Department. SEPA compliance would be required; it could either occur as a standalone effort focusing only on the text amendment or it could be combined with the overall project SEPA document. DPD would prepare the report that accompanies the text amendment; this document would include an analysis of the amendment and a recommendation. The Hearing Examiner would conduct a public hearing regarding the proposed legislation and submit a recommendation to City Council. A City Council committee may also conduct a public hearing as part of their deliberative process and would forward their recommendation to the full Council for final decision.

Conceivably, coupled with the text amendment process could be the City's Essential Public Facilities process, which involves an inter-jurisdictional analysis, a financial analysis, and specific measures to facilitate siting (SMC 23.80.004).

While no decision is possible concerning a MUP at this site until the zoning issue is resolved, the MUP process could be initiated with review by DPD and the public process while zoning is being finalized. Because this project is a public facility, review by the City's Design Commission would be required. This commission provides key recommendations to DPD concerning the MUP.

Another key component of the MUP process involves SEPA compliance. This process is described in Section 7 of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*. The SEPA process must be completed before DPD can issue the MUP Analysis and Decision.

Once the MUP Analysis and Decision is issued, there is a 14-day appeal period. Assuming that no appeals are filed, the MUP can be issued.

Whereas a Building Permit application can be filed before MUP issuance, the Building Permit (and other construction-related permits) cannot be issued until the MUP permit has been issued.

## **OTHER FACTORS**

Given the industrial nature of the site vicinity, siting a municipal jail facility at this location may be less controversial than at other site alternatives. Conceivably, the Port of Seattle may have interest, because Port property is located north of Highland Park Way S.W. In addition, community interest (possible community opposition) may occur from ad hoc groups within the Riverside and Highland Park residential neighborhoods located along the hillside and atop the hill west of the site, as well as from similar groups in the South Park community (approximately one-half mile southeast of the site). The conversion of industrially-zoned property for public use could also raise issues with the manufacturing/industrial community.

It is assumed that the City will undertake a public involvement process for the municipal jail facility. Coordination between the overall public involvement effort and the SEPA process will be important to ensure consistency of information and to effectively communicate the purpose of the SEPA effort relative to the overall project.

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**Site D Evaluation**  
**MYERS WAY SOUTHWEST**

## **SITE D EVALUATION – MYERS WAY SOUTHWEST**

### **Background Information**

This approximately 21.1-acre site is located in southwest Seattle in the general area between Myers Way S., Olson Pl., and S.W. Roxbury St. (extended). More specifically, the site is approximately one-quarter mile south of the intersection of Myers Way S. and Olson Pl. (see Figure 5). A segment of the vacated S.W. Roxbury St. is located in the north one-third of the site. This site is generally rectangular in shape.

The test-to-fit analysis depicts the potential municipal jail facility in the east-central portion of the site with surface parking located between the structure and Myers Way S. The test-to-fit analysis also depicts a sally port for secure misdemeanor transfer on the west-side of the building with the building's service access located in the north-side of the structure. Based on the test-to-fit analysis, vehicular access to the facility would be from Myers Way S., via driveways located near the north and the south property boundaries of the site.

From a site characterization standpoint, the east-half of the site is for the most part on-grade with Myers Way S. The topography of the west-quarter of the site, however, rises steeply approximately 100 ft. This site is currently undeveloped. Land uses that surround the site include: Seattle's Joint Training Facility immediately to the north of the site; a church to the east of Myers Way S. (near the northeast corner of the site); a 100-ft. wide Seattle City Light Transmission corridor along the south boundary of the site, with single family residences to the south of the corridor; Greenbridge (King County Housing Authority's largest mixed-use public housing development) immediately to the west, up the bluff; and, a steep slope (downward) located east of Myers Way S. (across from the southeast portion of the site).

Environmental considerations (natural and built) associated with this site are presented below.



Source: GoogleEarth, 2008



Preliminary Environmental Evaluation  
for the Siting of the Municipal Jail

Figure 5  
Site D - Myers Way S.W.

## **ENVIRONMENTAL CONSIDERATIONS**

### **Introduction**

The following summarizes preliminary research and investigation of various environmental issues pertaining to the Myers Way Southwest site under consideration for the new municipal jail facility. Information presented herein is based solely on prior and recent studies and reports and other available data obtained from the City of Seattle and other sources. This information is intended to highlight the key environmental factors and potential constraints that could affect the successful permitting and development of a facility on the site. In most cases, additional investigation and analysis will be required as part of the SEPA and/or permitting process to confirm site conditions and to fully understand environmental issues that could affect development of the municipal jail facility. Regulatory considerations and other factors that could pertain are highlighted as well. The following is intended to inform the facility design and ongoing site analysis effort by the City.

### **Natural Environment**

In 2008, a Draft *Phase I Environmental Site Assessment, Report of Geotechnical Engineering Services*, and a *Wetland Delineation Report* were completed for Site D. Studies and correspondence referenced herein were completed as part of these previous and recent environmental analyses. In 2005, a national retailer commissioned several environmental studies on Site D in preparation for possible development of the site. The site was considered, but was not selected, as a potential location for a big box retail outlet.

### **Earth**

Site D was the location of a sand and gravel mining operation from approximately 1944 until the mid-1980s. Subsequent reclamation work that occurred after the quarry closed included: grading of a 100-foot high, 2H:1V gradient cut slope along the western property boundary; placement of fill materials (variable up to 50 feet in depth) within the northern, southern and eastern portions of the property; and, placement of subsurface drainage conduits in the southeastern portion of the site.<sup>42</sup>

The fill encountered over most of the site is classified as "undocumented fill", because no records regarding its composition, placement and compaction were located. The fill was characterized in previous studies as thick, containing man-made debris, potentially contaminated and extending below the groundwater table. Investigations encountered varying thicknesses of loose fill material over the entire site to depths estimated to be up to 50 feet below ground surface. The thickest amount of fill was noted to be in the southern portion of the site. Investigations in the eastern portion of the site found fill thicknesses varied from 9 to 27 feet below ground surface.

All four parcels on this site, including the location where the high, steep gradient cut slope was established, have mapped ECA 40 percent or greater steep slope areas, as defined in SMC 25.09.020. The 2008 geotechnical report noted that no steep slopes are actually present on the

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<sup>42</sup> EEI, 2005.

two parcels comprising the eastern portion of the site. In 2005, the previous applicant requested an exemption from the City to potentially develop in the western portion of the site in the ECA area. The request was approved due to the fact that the steep slopes in this area are manmade and are the result of the previous quarry activities.<sup>43</sup> If potential development of a municipal jail facility on this site proposed any activities within actual ECA steep slope areas or their buffers, the project would be required to comply with the development standards for steep slopes provided in SMC 25.09.180.

The 2008 geotechnical report noted that localized zones within the loose fill deposits may be susceptible to liquefaction, especially in the southern portion of the site where the fill is thickest. The report also indicated that the site has a low to moderate potential for site amplification from a seismic event.

City mapping data also depict two sites that appear to be along the east-side of Myers Way S., directly east of Site D, as slide locations. These sites (#1174 and #1298) are identified as slide initiation points and are identified in the *Seattle Landslide Study*.<sup>44</sup>

The 2008 geotechnical report indicated that construction of a facility in areas where significant fill is present (the northern, eastern and southern portions of the site) could require overexcavation and replacement of soils, significant ground improvement and/or potentially deep foundation support (varying from 20 to 70 feet deep). Removal and replacement of fill material in the eastern and southern portions of the site was determined to be potentially "challenging, involving dewatering and possibly groundwater remediation".

As part of the design and construction permit process, further geotechnical analysis would be prepared to determine specific construction methods (i.e. for building foundations) to support potential development on this site.

## **Water Resources**

### ***Surface Water***

In 2008, a wetland delineation report<sup>45</sup> was completed for Site D in accordance with accepted state and federal methodologies. The report indicated that based on the site area in the test-to-fit analysis, three wetland areas appear to occur within Site D (Wetlands B, C, and D) and a fourth appears to occur immediately south of the Site D boundary (Wetland A).

#### **Wetland A**

Wetland A is estimated to be 0.5 acre in size. Wetland A occurs in an excavated or modified drainage feature to the southwest of Site D. The outlet of the wetland is a culvert under a gravel road that drains into a series of infiltration drainage features located downhill that do not contain wetland hydrology. These drainage features do not appear to meet the criteria for jurisdiction by the U.S. Corps of Engineers nor do they appear to be natural drainage features regulated by the City of Seattle. According to the City of Seattle Municipal Code wetland rating system Wetland A would require a 60-foot wide buffer.

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<sup>43</sup> City of Seattle, 2005.

<sup>44</sup> Shannon and Wilson, 2000.

<sup>45</sup> Herrera, 2008.

### Wetland B

Wetland B is estimated to be 0.98 acre in size. Wetland B is located in the central portion of Site D and runs diagonally from near the southwest corner to the northeast corner of Site D. The outlet of the wetland is a drain, which conveys the water under Myers Way SW and into Durham Creek. According to the City of Seattle Municipal Code wetland rating system Wetland B would require a 60-foot wide buffer.

### Wetland C

Wetland C is estimated to be 0.12 acre in size. Wetland C is located in the east-central portion of Site D, southeast of Wetland B. The water discharging from the wetland appears to infiltrate into the soil during most of the year. The report indicated an assumed, but not verified, connection between Wetland C and Durham Creek. According to the City of Seattle Municipal Code wetland rating system Wetland C would require a 50-foot wide buffer.

### Wetland D

Wetland D is estimated to be 0.41 acre in size. Wetland D is located in the northeast portion of Site D, adjacent to Myers Way SW. Water flows through the wetland from south to north where it discharges into a drain, which conveys the water under Myers Way SW and into Durham Creek. According to the City of Seattle Municipal Code wetland rating system Wetland D would require a 60-foot wide buffer.

As part of the SEPA process for potential development of a municipal jail facility on this site, wetland and hydrologic conditions would need to be evaluated to determine the relationship of these features to development feasibility. Potential impacts and applicable mitigation and the jurisdictional status of such features would be evaluated. Specific permit requirements would be determined at that time. If City, state or federal permits are required, this could affect the City's ability to construct the facility within the necessary timeframe.

### **Groundwater**

The 2008 geotechnical report conducted on the site concluded that the depth to groundwater is approximately 6 to 7 feet below ground surface in the western portion of Site D and between 11 to 13 feet below ground surface in the eastern portion of the site. Groundwater seepage (springs) was noted to be present in the drainage ditch that extends to the northeast across the site and along the eastern edge of the site and in the wetland/drainage ditch that parallels Myers Way. The shallow groundwater table could increase the complexity and costs associated with construction of below-grade building features, such as utility corridors and foundations. Dewatering of excavations more than 6 to 13 feet should be anticipated. Further analysis to determine specific construction methods and the potential need for dewatering would likely be required as part of the permitting process for a municipal jail facility on this site.

As part of previous Phase I environmental assessments conducted in 2005<sup>46</sup>, the presence of a groundwater monitoring well along the north margin of Site D was noted. The purpose and ownership of the well was not identified.

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<sup>46</sup> EEI, 2005.

During a previous geotechnical investigation conducted in 2005,<sup>47</sup> a review of Department of Ecology Water Resources well logs identified several City of Seattle water supply wells in the vicinity of the site. Three other wells located to the north of the site were identified as “dewater wells.”

As part of the permit process, an analysis of onsite and nearby well locations, ownership and groundwater uses would need to be completed.

## **Plants/Animals**

Potential onsite wildlife habitat associated with Wetland A, B, C and D was noted as part of previous and recent environmental studies<sup>48</sup> performed in 2005 and 2008.

- The habitat value of Wetland A was identified as “low”;
- The habitat value of Wetland B was identified as “low to moderate”;
- The habitat value of Wetland C was identified as “low” and,
- The habitat value of Wetland D was identified as “low to moderate”.

There are no currently listed threatened or endangered animal or plant species known to occur on or in the vicinity of the site.

It appears that the onsite wetlands drain to Durham Creek which could be considered a fish-bearing water body. Analysis of potential impacts to downstream habitat and water resources would likely be required as part of the SEPA process for potential development of the site.

## **Environmental Health**

Site D is currently undeveloped with the exception of a small gravel parking lot on the eastern portion of the site. Site D has a history of residential and agricultural uses and the site was a sand and gravel mining operation from approximately 1944 until the mid-1980s.

During the 2005 Phase I environmental assessment,<sup>49</sup> it was determined that neither the subject Site D nor any adjacent properties were listed on any environmental databases indicating previously known environmental concerns. The Phase I assessment indicated that asbestos, lead-based paint and PCBs were not anticipated to be present on the site.

Groundwater samples were taken as part of the Phase I assessment and were found to be impacted by a number of chemicals of concern. The assessment recommended additional investigation to determine the source, severity and origin of the groundwater contamination. In response to this recommendation, additional groundwater and soil investigations were performed by Pacific Groundwater Group (PGG).<sup>50</sup> Analysis by PGG determined that onsite groundwater quality is well below levels that trigger MTCA cleanup requirements. Soil samples analyzed by PGG indicate that soil quality is impacted by metals contamination (lead, cadmium and arsenic) in one limited location in the eastern portion of the site near Myers Way. The area of contamination was assumed to be approximately 4.5 feet in vertical thickness and located

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<sup>47</sup> EEI, 2005.

<sup>48</sup> EEI, 2005 and Herrera, 2008.

<sup>49</sup> EEI, 2005.

<sup>50</sup> Pacific Groundwater Group, 2005.

approximately 10 feet below ground surface. The lateral extent was determined to "not likely be extensive." PGG stated that no additional soil or groundwater investigation would be required.

In June 2005, the City sent a letter to the previous applicant addressing the applicant's concerns about PGG's findings.<sup>51</sup> In this letter, the City states, "In light of the fact that the contaminated soil was found in only one boring and is located well below the ground surface where it does not pose a danger to people or the environment, the City considers it a minor issue." The City further indicated that this type of contamination was typical of urban, industrial sites.

The PGG report indicated that based on Washington State law (Model Toxics Control Act), a site considered for development would remove the soil hotspot, dispose of the contaminated soil at an appropriate facility, complete confirmation sampling and report the findings to the Department of Ecology. The findings would be submitted to Ecology as an Independent Remedial Action. This process would likely apply to development of a potential municipal jail facility on Site D.

The 2008 Draft Phase I environmental assessment<sup>52</sup> confirmed and expanded upon the findings from the 2005 Phase I environmental assessment and subsequent groundwater/soils investigations described above. In particular, the assessment confirmed the presence of undocumented fill materials on the site. The assessment indicated that additional site analysis could be conducted as part of the permit process to better evaluate the actual presence or absence of contamination in the fill soils.

## **Noise**

Site D is presently vacant and there are no existing sources of noise onsite. In the site vicinity, the major source of noise is vehicular traffic traveling on the surrounding street system – most notably SR 509, which is approximately 600 ft. east of the site and at a lower elevation. Activities associated with commercial/industrial, institutional and residential uses in the area also generate noise. Noise-sensitive uses in the vicinity include residential uses located to the south and west of the site.

The potential development would result in ambient noise associated with construction and operation of the facility. The 2008 geotechnical analysis<sup>53</sup> indicated that site conditions could require deep foundation supports for buildings, possibly including piles from 20 to 70 feet below the ground surface. Due to the onsite geotechnical conditions, driven (not drilled) piles could be preferred for the site. The report indicated that noise and vibrations created during pile driving could be a concern and could temporarily impact nearby residences and buildings. Such potential concerns would be addressed during the design and permitting process to prevent significant impacts to any adjacent uses.

Periodic noise from operation of the facility would be generated by project traffic and other activity at the facility. Onsite noise generation would be greater than under existing conditions, but would not likely represent a significant new source of noise in the site vicinity. Both construction and operational noise would be expected to conform the City's Noise Code.

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<sup>51</sup> Rosenstock, 2005.

<sup>52</sup> G-logics, 2008.

<sup>53</sup> GeoDesign, 2008.

## **Built Environment**

### **Land Use**

#### ***Land Use Patterns***

The site consists of four tax parcels and totals approximately 21.1 acres. This site is zoned C2-65 (Commercial 2, height limit: 65 feet).

The site is undeveloped with grasses, shrubs and trees. Steep slopes are located along the west and south portions of the site. The test-to-fit analysis indicates that approximately 12 acres of this 21-acre site are usable due to site constraints.

Land uses nearby include the following.

- **North of the Site** – Immediately north of the site are two buildings associated with the Seattle Joint Training Facility (JTF), which is a large firefighter training facility. North of the JTF is Metro Transit's Myers/Olson Park and Ride Lot. An undeveloped parcel at the intersection of Myers Way S.W. and Olson Place (approximately one-quarter mile north of the site) is proposed for future construction of a 450-unit low to moderate income senior housing complex; City land use approvals for this project have been granted.
- **East of the Site** -- Much of the area immediately east of the site (east of Myers Way S.W.) is undeveloped due to steep slopes. An exception is a LDS (Mormon) Church, which is located northeast of the site, opposite JTF.
- **South of the Site** – A 100-foot wide Seattle City Light Transmission corridor forms the south boundary of the site. South of the transmission line is an undeveloped steep slope area with single family dwellings at the top of the slope.
- **West of the Site** – The Seattle City limits forms the west boundary of the site, which is located at the top of the slope roughly 200 feet from the base of the slope. Property west of the site in unincorporated King County is owned by the King County Housing Authority (KCHA) and is part of the 95-ac. *Greenbridge* redevelopment. This project is KCHA's largest public housing project and when completed will include approximately 1,000 units of mixed-income housing. Redevelopment associated with *Greenbridge* is presently on-going with most of the new construction and replacement housing occurring west of 4<sup>th</sup> Ave. S.W. at this time; later phases include redevelopment of the area between 4<sup>th</sup> Ave. S.W. and Site D with additional mixed-income housing.

### **Compatibility/Consistency with Zoning, Neighborhood Plans and Existing Uses**

Jail facilities are a prohibited use in the City's Commercial zones;<sup>54</sup> therefore, regulatory changes would be required to accommodate a municipal jail facility at this site (see the **Regulatory Considerations** discussion for this site alternative).

The City's *Future Land Use Map* identifies the site as Commercial/Mixed Use. The Myers Way site is not currently within a designated Neighborhood Plan area; it is located south of the *Greater Duwamish Neighborhood Plan* area and east of the *South Park Neighborhood Plan* area.

Development of a municipal jail facility at this site would result in the conversion of a commercially-zoned property to a public facility. Given the presence of residential uses south and west of the site and the church to the northeast, a municipal jail facility may be perceived as an incompatible use. Topographic differences (roughly 100+ ft. below the elevation of adjacent residential uses), as well as geographic separation (300 – 600 ft.) could serve as a buffer between the potential municipal jail facility and adjacent residential areas located south and west of the site. However, negative perceptions related to security/safety, hours of operation/activity levels, and other factors could arise during the City Council's consideration of regulatory changes needed to accommodate a municipal jail facility at this site.

### **Aesthetics/Light and Glare**

Site D currently appears as an open, vacant, undeveloped property. The site has largely been cleared as a result of previous sand and gravel extraction activities and gravel roadways remain onsite from these prior operations. Scattered vegetation is present throughout the site. The visual character of the immediately surrounding area includes: one and two-story, large-scale buildings associated with the Joint Training Facility (JTF) to the north; a 100-foot wide Seattle City Light power line right-of-way to the south, and one and two-story, single family residences further south; wooded, undeveloped properties and a large-scale brick church to the east; and, King County Housing Authority's Park Lake Homes development, a residential complex of largely one-story fourplex structures to the west (formerly WWII housing). As noted previously, under **Land Use**, this housing project is undergoing redevelopment and is now known as *Greenbridge*.

Partial views of the site are possible through existing vegetation from the residential developments to the south and west and from the church to the northeast, across Myers Way S. W.

The visual character of the potential development would be similar in character to large-scale commercial/industrial and institutional development in the site vicinity (i.e. the JTF) and would not likely represent a major change in the visual environment. Partial views of the development, through existing vegetation, would be possible from the neighborhoods upslope to the south and west and from the church to the northwest. Potential development of Site D would not affect public views from any viewpoints, parks, scenic routes or view corridors designated for protection by the City.

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<sup>54</sup> Seattle Municipal Code [SMC] 23.47A.004

Presently, there are no sources of light and glare at Site D, as the property is vacant and undeveloped. Sources of light and glare in the site vicinity include lighting on the surrounding street system and lighting associated with surrounding land uses, as well as vehicle headlights. The potential development would generate light and glare from building and parking lot lighting and vehicle headlights. This would represent a new source of light and glare onsite, but is not expected to represent a significant new source of light in the site vicinity.

## **Historical and Cultural Resources**

Site D is currently vacant and undeveloped; there are no permanent structures located on the site. According to a Phase I environmental site assessment<sup>55</sup> prepared in April 2005 and the Draft Phase I environmental assessment<sup>56</sup> prepared in April 2008 for this site, historical uses on the property include residential, agricultural and a sand and gravel operation. No known City or King County historic Landmarks are located within the immediate vicinity of Site D. Therefore, potential development of the site would not be expected to affect any historical or cultural resources.

According to the King County Office of Historic Preservation<sup>57</sup>, the site is located on a bench between the north Des Moines uplands and the Duwamish/Green River Valley, and there are no direct indications of archaeological deposits. The site is within approximately 1 mile of a reported Native American burial in South Park and an ethnographic place (geographical feature/place name) and within 0.5 miles of several early land claims in the valley bottom to the east. The site appears to be disturbed and graded and the potential for archaeological deposits appears to be low to moderate,

## **Transportation**

Myers Way S.W. is located immediately east of Site D; several hundred feet further east is SR 509. Myers Way S.W. is a principal arterial and SR 509 is a major north/south urban arterial that serves the surrounding area and the region. Access to this site is currently provided from one ingress/egress on Myers Way S.W. An unopened segment of the S.W. Roxbury St. right-of-way is located in the north one-third of the site.

Transit service is presently available to the site vicinity along 4<sup>th</sup> Avenue S.W. and 1<sup>st</sup> Ave. S., and at the Myers Way S.W./Olson Place intersection, approximately 0.25 mile from the site.

The potential development would generate additional traffic on the surrounding road system, as well as additional use of transit service and pedestrian facilities in the vicinity. Existing transportation facilities in the vicinity of Site D appear to be adequate to handle these additional demands. Access to the site could be provided from Myers Way S.W. Vacation of the unopened S.W. Roxbury St. right-of-way may be necessary. Sufficient area appears to be available onsite to accommodate the anticipated parking (depending upon the outcome of additional wetland and critical area studies).

There are no City transportation impact fee/mitigation ordinances established for this area. However, a transportation study could be required as part of the future SEPA process; such

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<sup>55</sup> EEI, 2005.

<sup>56</sup> G-logics, 2008.

<sup>57</sup> King County Office of Historic Preservation, 2008.

analysis would be required to specifically determine project impacts and could result in the need for transportation improvements and other mitigation for the potential project.

## **Utilities**

Stormwater management and sewer and water service would be provided to the potential project via connection to existing municipal lines. It is assumed that capacity is available to meet the demands of the municipal jail facility; this will need to be verified during the design and permitting process. The stormwater control system would be required to adhere to applicable City regulations, including requirements for stormwater management and water quality treatment, both during construction and as part of operation of the facility.

The 2008 geotechnical analysis stated that stormwater drainage using on site infiltration systems may be feasible in portions of the site. Infiltration rates associated with the near surface soils were determined to be suitable for infiltrating stormwater. If infiltration of stormwater is pursued as an option for this site, additional studies during the permitting process would be required to determine suitable infiltration areas.

As noted previously, based on the 2008 *Wetland Delineation Report* three wetlands appear to be present on Site D and one wetland appears to be located adjacent to the site. It appears that onsite wetlands drain to Durham Creek. Potential direct and indirect impacts to these water resources would need to be addressed during the SEPA process for the municipal jail facility; applicable mitigation measures would be identified. Compliance with applicable City regulations would protect downstream water resources from potential erosion/sedimentation and water quality impacts during both construction and operation of the project.

## **REGULATORY CONSIDERATIONS**

Key regulatory factors that would influence development at this site include: zoning, the Master Use Permit (MUP) process, and SEPA compliance.

This site is zoned C2-65 and jail facilities are a prohibited use in this zone. In order for the City to issue a MUP for a municipal jail facility at this site, regulatory changes would be required. Several strategies may be possible. Outright zone reclassification or a contract rezone, however, do not appear to be feasible, because the only zoning districts that presently allow jail facilities are the Downtown zones and this site is not located within or near downtown.

A text amendment would be a Type V legislative process requiring City Council action. The text amendment approach would involve zoning code changes to allow a municipal jail facility at this commercially-zoned site. While a text amendment typically applies uniformly to all such zones City-wide, it may be possible to limit this use authorization to a specific geographic area (localized site area). Similarly, in order to maximize the opportunity for public involvement, the text amendment could authorize a municipal jail facility as a conditional use (administrative or Council) as part of the MUP process.

The text amendment process appears to provide maximum flexibility for the City. The process would entail DPD drafting the proposed text amendment with review by the Law Department. SEPA compliance would be required; it could either occur as a standalone effort focusing only on the text amendment or it could be combined with the overall project SEPA document. DPD would prepare the report that accompanies the text amendment; this document would include

an analysis of the amendment and a recommendation. The Hearing Examiner would conduct a public hearing regarding the proposed legislation and submit a recommendation to City Council. A City Council committee may also conduct a public hearing as part of their deliberative process and would forward their recommendation to the full Council for final decision.

Conceivably, coupled with the text amendment process could be the City's Essential Public Facilities process, which involves an inter-jurisdictional analysis, a financial analysis, and specific measures to facilitate siting (SMC 23.80.004).

While no decision is possible concerning a MUP at this site until the zoning issue is resolved, the MUP process could be initiated with review by DPD and the required public process while the text amendment is being finalized. Because this project is a public facility, review by the City's Design Commission would be required. This commission provides key recommendations to DPD concerning the MUP.

Another key component of the MUP process involves SEPA compliance. This process is described in Section 7 of this *Preliminary Environmental Evaluation for the Siting of the Municipal Jail*. The SEPA process must be completed before DPD can issue the MUP Analysis and Decision.

Once the MUP Analysis and Decision is issued, there is a 14-day appeal period. Assuming that no appeals are filed, the MUP can be issued.

Whereas a Building Permit application can be filed before MUP issuance, the Building Permit (and other construction-related permits) cannot be issued until the MUP permit has been issued.

If City, state and/or federal permits are required due to the potential for effects of the potential development on onsite and offsite wetlands, such permits could affect the City's ability to construct the facility within the necessary timeframe.

## **OTHER FACTORS**

Siting the municipal jail facility will be controversial. While limited concern is anticipated from the JTF immediately north of the site, strong interest and community opposition may occur from residents of the King County Housing Authority's *Greenbridge* development immediately west of the site, possibly the church located east of the site, and community ad hoc groups from the Highland Park neighborhood that are within the site vicinity.

It is assumed that the City will undertake a public involvement process for the municipal jail facility. Coordination between the overall public involvement effort and the SEPA process will be important to ensure consistency of information and to effectively communicate the purpose of the SEPA effort relative to the overall project.

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# **RECOMMENDATIONS REGARDING THE SEPA PROCESS**

## **RECOMMENDATIONS REGARDING THE SEPA PROCESS**

The City of Seattle Fleets and Facilities Department (FFD) would likely be the applicant of the new municipal jail facility; it is assumed that the City of Seattle would serve as lead agency under SEPA for this project, and would, therefore, have responsibility for meeting the substantive and procedural requirements of the SEPA process. As lead agency, the City would determine the appropriate course of action relative to SEPA compliance, including the definition of the proposal and proposed actions and selection of the relevant method for compliance.

The following evaluates possible SEPA options, comprehensive vs. phased environmental review, the possible range of alternatives to be addressed in an EIS document, steps and timing associated with completion of the SEPA process, and identifies a preliminary scope of the environmental analysis.

### **DNS vs. EIS**

Essentially, two options for compliance are available: **1)** issuance of a Determination of Non-Significance (DNS)/Mitigated DNS; or **2)** issuance of a Determination of Significance and preparation of an Environmental Impact Statement (EIS). A DNS/MDNS can be used when the lead agency has determined that the proposal is unlikely to have significant adverse environmental impacts, or that mitigation has been identified that will reduce impacts to a non-significant level. A DS is issued and an EIS is prepared when the lead agency has determined that a proposal is likely to result in significant adverse impacts. The EIS process is a tool for identifying and analyzing probable adverse environmental impacts, reasonable alternatives and possible mitigation. It also provides opportunities for the public and agencies to participate in the SEPA process. The DNS/MDNS approach provides limited opportunity for public involvement.

The City has preliminarily identified 4 potential sites for the location of a new municipal jail facility. Each site will require more in-depth analyses to determine their feasibility relative to the City's siting criteria and the likelihood, or lack thereof, of probable significant impacts resulting from siting, construction and operation of a new municipal jail facility. Further, in order to develop such a facility, regulatory changes will be required at each site (current zoning does not permit a jail facility at any of the 4 sites under consideration).

*Based on our current understanding of the proposal, it is our recommendation that the City commit to preparing an EIS for the new municipal jail facility project. This recommendation is based on both potentially substantive environmental issues and regulatory issues, including the potential for appeals during the SEPA process. Preparation of an EIS will allow for the following to result:*

- Several opportunities for public participation in the environmental review process will be afforded, and the process will be open and transparent;
- Given that the City has not selected a preferred site at this point in the process, an EIS would provide an efficient opportunity to analyze a range of reasonable alternatives (a reasonable alternative is a feasible alternative course of action that meets the applicant's objectives at a lower environmental cost). In this case, since the City is considering a range of possible sites, all of these could represent a "reasonable alternative" to be addressed in the EIS depending upon the City's defined objectives for the project (see more discussion of alternatives below);

- An EIS will generally provide more in-depth information to be considered as part of the decision-making process. This will allow an informed decision relative to a preferred site/alternative for the new facility; and,
- Completion of an EIS will reduce the risk of a successful SEPA appeal of the project. The burden of proof on a potential appellant will be substantially higher with an EIS relative to a DNS/MDNS.

### **Comprehensive vs. Phased Review**

Under SEPA, the City would have the option to conduct phased environmental review. Phased review would allow the City, agencies and the public to focus on issues that are ready for decision and exclude consideration of issues not yet ready. A phased review would entail a more programmatic/general environmental analysis of code amendments and site selection first, and then subsequent analysis of the more detailed construction and operational impacts at a selected site as part of a second environmental review process.

Alternatively, a more comprehensive review can be conducted as part of the environmental review process (EIS) to be completed upfront. This review would address the full range of proposed actions, including regulatory changes needed to accommodate a municipal jail facility at any of the sites; site selection; and, construction and operation of the facility. This EIS would be intended to provide adequate review for all aspects of the proposal, such that additional review would not be necessary as part of the construction and development permit process.

*It is our recommendation that the City conduct comprehensive environmental review upfront via an EIS, and not use the phased review process. We believe that it is possible to provide the necessary and adequate analysis of potential environmental impacts and mitigation as part of the initial EIS, so that certain issues do not need to be deferred to a later, supplemental process. Environmental issues can be fully analyzed, from the standpoint of probable significant impacts, without the benefit of detailed design/construction information. We have successfully used this approach on many EIS projects.*

Further, the comprehensive review would likely provide necessary information for the decision-making process relative to site selection. In other words, selection of a site would be informed by the analyses of probable impacts of construction/operation of the facility and identification of appropriate mitigation for a given site. In addition, your required schedule for the overall facility may not allow a phased environmental review process.

Three additional factors to consider relative to the comprehensive SEPA strategy are that: 1) with one environmental document, there would be only one appeal opportunity (a phased review would allow at least two appeal opportunities); 2) the public will likely raise a range of substantive environmental issues as part of the initial EIS process, and may not understand the purpose of phased review. Addressing all relevant issues as part of the comprehensive effort may be seen as being more responsive to the public's concerns; and, 3) one environmental document would better enable the City to meet the intended schedule.

## **Alternatives**

As indicated above, SEPA requires evaluation of reasonable alternatives in an EIS. The definition of reasonableness relates to consistency with the applicant's objectives for the proposal and the ability to implement it at a lower environmental impact. An EIS must also address the "No Action Alternative," which is typically defined as what would be most likely to happen if the proposal was not approved and implemented.

The City is currently investigating the potential for locating the new municipal jail facility at four possible sites. We understand that these sites were determined from a larger pool of potential sites given a set of criteria established by the City. It will be important to describe the criteria used as a basis for the evaluation of scenarios and sites. The applicant's objectives in this case will be formed with consideration of the siting criteria. As part of the ongoing planning, design and environmental processes, further refinement of criteria and consideration of these sites may occur. In addition, we understand that the City is still determining if a new municipal jail facility in downtown Seattle would be feasible.

As part of the EIS process, the City as lead agency under SEPA, has responsibility to identify reasonable alternatives for evaluation. This responsibility needs to consider comments received during the public scoping process, as well as the City's objectives. *On a preliminary basis, we recommend that the EIS address the following:*

- **Alternative Sites** - The City has discretion to include all four sites currently under consideration or a reduced number, if it is determined prior to the initiation of the EIS process that one or more sites will not be feasible and will not meet objectives. *Our recommendation would be to err on the side of being more inclusive than less, given that a preferred site has not been determined at this point.*
- **No Action Alternative** - In this case, the "do nothing" alternative, while required by SEPA, is not a feasible scenario. The City will need to have a municipal jail facility in place at the end of the lease period at the current King County downtown facility (2012). The EIS will describe that No Action means that the regulatory changes needed to accommodate a facility would not be implemented and construction and operation would not occur at any of the sites under consideration, but would note that this would require some other scenario to be implemented to allow the City to house misdemeanors.
- **Alternatives Considered but Rejected** - This category could include prior consideration of a downtown facility, (if it is determined that a downtown facility is not feasible) partnering with another jurisdiction in the region, the possibility of developing two small facilities instead of a single large facility, and any specific sites considered but rejected. This will allow the public to more fully understand the process that the City has followed, and will continue to follow, to arrive at the sites under consideration, a preferred site and eventually a decision by the City Council. Such alternatives will be described in the EIS and the basis for their elimination disclosed; however, these alternatives will not be evaluated further as part of the EIS process.
- **Other Possible Alternatives** - It is possible that other potentially reasonable alternatives may arise as part of the ongoing process. This could include, for example, some form of design or footprint alternative at a given site, if specific site conditions warrant

# **Preliminary Environmental Evaluation for the Siting of the Municipal Jail**

Prepared for the

**City of Seattle  
Fleets and Facilities Department**

By



June 20, 2008

Att 9.

consideration of an option(s) that may reduce environmental impacts. At this stage of the process, we are not aware of any necessary design alternative.

Ultimately, the public scoping process may result in the need to consider other alternatives in the EIS.

*Our recommendation is to continue to not identify a "preferred alternative" until the City has the benefit of the environmental analysis to be included in the Draft EIS. The City then has the discretion to include a preferred alternative/site in the Final EIS.*

## **Schedule and Preliminary Scope**

If the City elects to commit to issuing a DS and preparing an EIS on this project, the formal process begins with issuance of the DS and commencement of the required 21-day public scoping period. If the City agrees that an EIS is required, preparation of a SEPA Environmental Checklist is not necessary. There are tradeoffs associated with the preparation of a Checklist prior to issuing the DS. Preparation of a SEPA Checklist could result in valuable information regarding the eventual scope of the EIS (information contained in the Checklist could serve to narrow the scope of the EIS to only a few key environmental issues). However, based on this report and other prior environmental studies on the sites under consideration, adequate data regarding the applicable scope of the EIS may already be preliminarily available. In addition, preparation of a Checklist will require the expenditure of time and resources by a team of consultants. Finally, given the likely scrutiny that an EIS on a municipal jail facility will receive, a more inclusive EIS scope may be appropriate.

The 21-day scoping period allows agencies and the public to provide input on the alternatives to be addressed and impact areas to be addressed. Based on our recent conversations, we understand that the City would like to initiate scoping by July 2008.

Further, we understand that the City would like to complete the SEPA process by April 2009 in order to be able to meet the overall permitting and construction schedule. In order to meet the overall timeline and be in a position to initiate scoping in July, *we recommend that several steps be completed, including:*

- Initiate background studies in several key areas to inform the site planning and design process. This could include geotechnical investigations, environmental site assessments, transportation analyses, and biological investigations (as relevant) regarding conditions at the sites under consideration. This information will of course also be useful for the EIS;
- Formulate a plan for public participation and initiate the process. *Our recommendation is to insure that the EIS public scoping meeting is not the first opportunity for the public to formally hear about the project;*
- Preliminarily identify the alternatives to be evaluated in the EIS;
- Preliminarily identify the methodology to be undertaken for analysis of impacts under each relevant environmental element at each site (i.e. scope of the geotechnical investigation, depth of analysis for the historic/cultural resources evaluation);

- Identify the specific program and preliminary design information that will be needed in order to complete the environmental analyses in the EIS. *We can assist in the formulation of this list of information to be used as a framework for the EIS by the City and your design consultant team;*
- Prepare a draft DS and EIS Scoping Outline for use in the public scoping process; and,
- Preliminarily outline the required regulatory and permit processes and their specific schedule implications.

*Completion of the above steps will allow for an efficient start to the formal EIS process.*

### **Preliminary EIS Scope**

Based on the site evaluations presented earlier in this report, key environmental issues associated with siting, construction and operation of the new municipal jail facility at each of the four sites under consideration were preliminarily noted. In addition, the potential regulatory issues that could pertain to the municipal jail facility were highlighted. Based on these factors and our preliminary understanding of the facility program and plan, *we recommend that the following environmental elements be addressed in the EIS. Depending on the site in question, the depth of analysis under each of the elements should vary by site.* Again, the final scope of the EIS will be determined by the City as part of the public scoping process.

List of elements that could be evaluated in the EIS:

- Earth
- Climate Change/Greenhouse Gas Emissions (this topic was not addressed in this report, but based on recent legislation will likely be required to be addressed via SEPA)
- Water
- Plants and Animals
- Environmental Health (hazardous materials and noise)
- Land Use
- Relationship to Plans and Policies
- Aesthetics/Light and Glare
- Historic and Cultural Resources
- Transportation

The specific issues to be addressed and the methodology to be undertaken for each element and each site should be determined as part of the next phase of the project.

## **REFERENCES**

## **REFERENCES**

### **General References**

- City of Seattle. *Seattle Municipal Code*, Seattle, Washington, 2008.
- City of Seattle Department of Planning and Development. *Commercial Zones Chart*, 2007.
- City of Seattle Department of Planning and Development. *DPD GIS*, <http://web1.seattle.gov/dpd/dpdgisv2/mapviewer.aspx> , accessed March 2008.
- City of Seattle Department of Planning and Development. *Future Land Use Map*, 2005.
- City of Seattle Department of Planning and Development. *Industrial Zones Chart*, 2007.
- Miller Hiyashi Architects, LLC and DLR Group. *Preliminary Site Study, City of Seattle*, February 19, 2008.

### **Site A**

- City of Seattle Neighborhood Planning Office. *Broadview-Bitter Lake-Haller Lake Neighborhood Plan*, 1999.
- G-Logics. *Draft Phase I Environmental Site Assessment Puetz Golf*, June 13, 2008.
- GeoDesign, Inc. *Report of Geotechnical Engineering Services*, May 22, 2008.
- Seattle Department of Transportation. *Aurora Avenue North Transit, Pedestrian and Safety Improvements, North 110<sup>th</sup> Street to North 145<sup>th</sup> Street Project Hazardous Material Discipline Report*, October 2006.
- Whitman, Randy. Letter to Diana Holloway, *Final No Effect Determination*, June 7, 2007.

### **Site B**

- City of Seattle Department of Planning and Development. *Analysis and Decision of the Director of the Department of Planning and Development for Application Number 3003017*, May 25, 2006.
- City of Seattle Neighborhood Planning Office. *Ballard-Interbay-Northeast Manufacturing and Industrial Center Neighborhood Plan* , 1998.
- City of Seattle and WSDOT Staff. Personal communication, April 17, 2008.
- G-Logics. *Draft Phase I Environmental Site Assessment Port 106, LLC Properties*, April 4, 2008.
- GeoDesign, Inc. *Report of Geotechnical Engineering Services*, April 11, 2008.

Port of Seattle. *North Bay Master Plan EIS*, 2005.

Seattle Monorail Project. *Greenline Environmental Impact Statement*, March 10, 2004.

Shannon & Wilson. *Preliminary Foundation Recommendations for Proposed Interbay Operations Center Seattle Monorail Project*, January 19, 2004.

### **Site C**

City of Seattle Neighborhood Planning Office. *Greater Duwamish Manufacturing and Industrial Center Neighborhood Plan*, 1999.

G-Logics. *Draft Phase I Environmental Site Assessment First Avenue South Bridge Properties*, April 3, 2008.

GeoDesign, Inc. *Report of Geotechnical Engineering Services*, May 12, 2008.

Herrera Environmental Consultants, Inc. *Wetland Evaluation of Seattle Fleets and Facilities Site (at southwest corner of Highland Park Way SW and 2<sup>nd</sup> Ave SW)*, May 9, 2008.

King County Office of Historic Preservation. Personal communication, April 2008.

United States Department of Transportation, Washington State Department of Transportation and City of Seattle. *First Avenue South Bridge – SR 99 Crossing the Duwamish River*, November 1992.

### **Site D**

EEI. *Geotechnical Investigation for the Proposed Lowe's West Seattle HIW*, April 21, 2005.

EEI. *Phase I Environmental Site Assessment for the Proposed Lowe's HIW (EEI Project No. P050115)*, April 19, 2005.

G-Logics. *Draft Phase I Environmental Site Assessment Myers Way Properties*, April 8, 2008.

GeoDesign, Inc. *Report of Geotechnical Engineering Services*, April 18, 2008.

Herrera Environmental Consultants, Inc. *Wetland Delineation, Seattle Fleets and Facilities Department, Myers Way SW Excess Property*, June 4, 2008.

King County Office of Historic Preservation. Personal communication, April 2008.

Knable, Robert and Shao-Ho Bou. Letter to Elisha Stanard, *Decision for ECA Exemption Requests*, April 8, 2005.

Pacific Groundwater Group. *Groundwater and Soil Sampling Report, Myers Way Site*, July 2005.

Pacific Groundwater Group. *Correspondence Regarding Myers Way Environmental Services*, June 10, 2005.

Rosenstock, Joan. *Letter to Roger Bernstein*, June 24, 2005.

SVR Design Company. *Lowe's of West Seattle Draft Wetland Delineation Report*, August 2005.